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Rules and Regulations

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

REVOCATIONS, REDESIGNATIONS, AND CHANGE OF TERMINOLOGY

CROSS REFERENCE: For a document affecting certain parts in this chapter, see F.R. Document 63-10552, Title 46, Chapter IV, *infra*.

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 8, Part I]

REVOCATIONS, REDESIGNATIONS, AND CHANGE OF TERMINOLOGY

By General Order 1 (26 F.R. 7788, August 19, 1961) the Federal Maritime Commission continued in effect all rules and regulations which had been issued by the Federal Maritime Board and Maritime Administration in the exercise of functions, delegations, powers and duties transferred to or vested in the Commission by Reorganization Plan No. 7 of 1961. Since then Chapter II of Title 46, CFR, which was formerly assigned to both the Federal Maritime Board and Maritime Administration, has been assigned exclusively to the Maritime Administration of the Department of Commerce. Chapter IV of Title 46 has been assigned to the Federal Maritime Commission. Accordingly, it has been found necessary to make certain changes in the form of revocations and redesignations of various parts of Chapter II.

Revocations. Part 223—"Bill of Lading Requirements" and Part 236—"Steamship Conferences Using Contract/Non-Contract Rates" are hereby revoked.

Redesignations. Part 222, §§ 222.11 through 222.17 is hereby redesignated as Part 522, §§ 522.1 through 522.7, to be entitled "Regulations for Filing Copies of Agreements Under section 15, Shipping Act, 1916." Wherever the word "Board" appears in these sections, the word "Commission" shall be substituted therefor. In § 222.11 (redesignated § 522.1) where "Federal Maritime Board, Regulation Office, Washington, D.C." appears, there shall be substituted therefor "Federal Maritime Commission, Washington, D.C., 20573." This redesignation does not affect §§ 222.1 through 222.5 of Part 222.

Part 226—"Free Time and Demurrage Charges on Import Property Applicable to All Common Carriers by Water" is hereby redesignated as Part 526. Wherever the word "Board" appears in this part, the word "Commission" shall be substituted therefor.

Part 231—"Publication, Posting and Filing of Freight and Passenger Rates, Fares, and Charges" is hereby redesignated as Part 531. Wherever the word

"Board" appears in this part, the word "Commission" shall be substituted therefor. Wherever the terms "FMB-F" or "FMB-P" appear in this part, there shall be substituted therefor the terms "FMC-F" and "FMC-P". Wherever the address form "Federal Maritime Board, Regulation Office, Washington, D.C." appears in this part, the form "Federal Maritime Commission, Bureau of Domestic Regulation, Washington, D.C., 20573" shall be substituted therefor.

By order of the Federal Maritime Commission, September 12, 1963.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-10552; Filed, Oct. 3, 1963;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-WE-4]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE AND REPORTING POINTS [NEW]

Alteration of Transition Area

On June 26, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 6565) stating that the Federal Aviation Agency proposed to alter the Tonopah, Nev., transition area.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments but no comments were received.

The substance of the proposed amendment having been published and for the reasons stated in the notice, the following action is taken:

In § 71.181 (27 F.R. 220-139, November 10, 1962), the Tonopah, Nev., transition area is amended to read:

Tonopah, Nev.

That airspace extending upward from 700 feet above the surface within 5 miles W and 3 miles E of the Tonopah VOR 352° and 172° radials, extending from 9 miles N to 2 miles S of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 14-mile radius of the Tonopah VOR, excluding the portions within R-4807 and R-4809.

This amendment shall become effective 0001 e.s.t., January 9, 1964.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on September 27, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-10521; Filed, Oct. 3, 1963;
8:45 a.m.]

[Airspace Docket No. 63-SO-68]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

PART 73—SPECIAL USE AIRSPACE [NEW]

Revocation of Restricted Area and Alteration of Federal Airway and Controlled Airspace

The purpose of these amendments to §§ 71.123, 71.151 and 73.29 of the Federal Aviation Regulations is to revoke the Venice, Fla., Restricted Area R-2920 and alter Federal airway No. 35 and the continental control area.

The Department of the Air Force has stated it no longer has a requirement for Restricted Area R-2920. Therefore, this area is no longer justified as an assignment of airspace and revocation thereof will be in the public interest. Such action is taken herein.

The description of Federal airway No. 35 now includes a requirement for prior approval from appropriate authority for use of that airspace which coincides with R-2920. This requirement is no longer necessary upon the revocation of R-2920 and therefore is deleted herein from the description of Federal airway No. 35.

In addition, R-2920 is included in the continental control area for joint use. This requirement is no longer necessary upon the revocation of R-2920 and therefore is deleted herein from the continental control area.

Since these amendments reduce a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary and they may be made effective upon publication.

In consideration of the foregoing, the following actions are taken:

In § 73.29 Florida (28 F.R. 19-14, January 26, 1963), "R-2920 Venice, Fla." is revoked.

In § 71.123 (27 F.R. 220-6, November 10, 1962, 27 F.R. 11939, 28 F.R. 3482, 7029), Federal airway No. 35, "The airspace within R-2920 shall be used only after obtaining prior approval from appropriate authority." is deleted.

In § 71.151 (27 F.R. 220-54, November 10, 1962), "R-2920 Venice, Fla." is deleted.

These amendments shall become effective upon date of publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on September 27, 1963.

CLIFFORD P. BURTON,
Acting Director,
Air Traffic Service.

[F.R. Doc. 63-10520; Filed, Oct. 3, 1963;
8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES [NEW]

[Reg. Docket No. 1954; Amdt. 342]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES [NEW]

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 [New] (14 CFR Part 97 [New]) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
TOY VOR	ALN RBn	Direct	2200	T-dn	300-1	300-1	300-1
Prairie INT	ALN RBn	Direct	2200	C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-dn-17	600-1	600-1	600-1
				A-dn	NA	NA	NA

Procedure turn E side of crs, 004° Outbnd, 184° Inbnd, 2200' within 10 miles of Dorsey Int.*

Minimum altitude over Dorsey Int* on final approach crs, 2200'.

Crs and distance, Dorsey Int* to airport, 184°—5.8 miles; breakoff point to runway, 170°—1 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing Dorsey Int, make a left turn climbing to 2200', return to ALN RBn, and hold on 098° bearing from RBn, right turns.

NOTES: Operating VOR/ADF receivers required to execute this approach procedure. Lights installed Runway 17-35 only.

*Dorsey Int: Int 004° bearing from ALN RBn and R-064 STL VOR.

City, Alton; State, Ill.; Airport Name, Civic Memorial; Elev., 541'; Fac. Class., MH; Ident., ALN; Procedure No. 1, Amdt. Orig.; Eff. Date, 19 Oct. 63

TOY VOR	ALN RBn	Direct	2200	T-dn	300-1	300-1	300-1
Prairie INT	ALN RBn	Direct	2200	C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-d-29	600-1	600-1	600-1
				A-dn	NA	NA	NA

Procedure turn N side of crs, 098° Outbnd, 278° Inbnd, 1900' within 10 miles of ALN RBn.

Minimum altitude over facility on final approach crs, 1141'.

Facility on airport. Crs and distance, breakoff point to approach end of runway, 290°—1 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing ALN RBn, make right turn climbing to 2200', return to ALN RBn.

NOTE: Lights installed Runway 17-35 only.

City, Alton; State, Ill.; Airport Name, Civic Memorial; Elev., 541'; Fac. Class., MH; Ident., ALN; Procedure No. 2, Amdt. Orig.; Eff. Date, 19 Oct. 63

TOY VOR	ALN RBn	Direct	2200	T-dn	300-1	300-1	300-1
Prairie INT	ALN RBn	Direct	2200	C-d	500-1	600-1	600-1½
				C-n	500-2	600-2	600-2
				S-d-29	500-1	500-1	500-1
				A-dn	NA	NA	NA

Procedure turn N side of crs, 098° Outbnd, 278° Inbnd, 2200' within 10 miles of Carpenter Int.*

Minimum altitude over Carpenter Int* on final approach crs, 2200'—5.5 miles.

Crs and distance Carpenter Int* to airport, 278°—5.5 miles; breakoff point to runway, 290°—1 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing Carpenter Int, make right turn climbing to 2200', return to ALN RBn.

NOTES: Operating VOR/ADF receivers required for this procedure. Lights installed Runway 17-35 only.

*Carpenter Int: Int 098° bearing from ALN RBn and R-351 TOY VOR.

City, Alton; State, Ill.; Airport Name, Civic Memorial; Elev., 541'; Fac. Class., MH; Ident., ALN; Procedure No. 3, Amdt. Orig.; Eff. Date, 19 Oct. 63

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lansing LOM.....	LAN-VOR.....	Direct.....	2500	T-dn.....	300-1	300-1	200-1½
Potter Int.....	LAN-VOR (final).....	Direct.....	2500	C-dn.....	400-1	500-1	500-1½
				S-dn-6.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 234° Outbnd, 054° Inbnd, 2500' within 10 miles.

Minimum altitude over facility on final approach crs, 2500'.

Crs and distance, facility to airport, 054°—5.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing LAN-VOR, climb to 2500' on R-064 and proceed direct to LAN LOM or, when directed by ATC, make left climbing turn to 2500' and proceed to St. Johns Int via LAN R-031.

City, Lansing; State, Mich.; Airport Name, Capital City; Elev., 859'; Fac. Class., BVOR; Ident., LAN; Procedure No. 1, Amdt. 9; Eff. Date, 19 Oct. 63; Sup. Amdt. No. 8; Dated, 21 Sept. 63

3. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Grand Beach Int.....	Prairie Int*.....	Via OXI R-345 and W crs ILS.	2400	T-dn.....	300-1	300-1	200-1½
Prairie Int*.....	Gordon Int# (final).....	Direct.....	2400	C-dn.....	400-1	500-1	500-1½
SBN VOR.....	Gordon Int#.....	Direct.....	2400	S-dn-9.....	400-1	400-1	400-1
SB LOM.....	Gordon Int#.....	Direct.....	2400	A-dn.....	800-2	800-2	800-2
Stillwell Int.....	Prairie Int*.....	Direct.....	2400				

Procedure turn N side of crs, 266° Outbnd, 089° Inbnd, 2400' within 10 miles of Gordon Int# nonstandard due traffic.

Minimum altitude over Gordon Int# on final approach crs, 2400'.

Crs and distance, Gordon Int# to Runway 9, 089°—5.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing Gordon Int#, climb to 2200' and proceed direct to SB LOM or, as directed by ATC, make left turn, climb to 2000' and proceed direct to SBN VOR.

NOTES: No glide slope. No approach lights. Simultaneous reception of ILS and VOR required to execute this approach.

*Prairie Int: Int W crs SBN localizer and OXI R-360.

#Gordon Int: Int W crs SBN localizer and SBN R-235.

City, South Bend; State, Ind.; Airport Name, St. Joseph County; Elev., 778'; Fac. Class., ILS; Ident., I-SBN; Procedure No. ILS-9, Amdt. Orig.; Eff. Date, 19 Oct. 63

These procedures shall become effective on the dates specified therein.

These amendments are made under the authority of sections 307(c), 313(a), and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775).

Issued in Washington, D.C., on September 13, 1963.

W. LLOYD LANE,
Acting Director, Flight Standards Service.

[F.R. Doc. 63-9976; Filed, Oct. 3, 1963; 8:49 a.m.]

Title 21—FOOD AND DRUGS

Chapter 1—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ANTIOXIDANTS AND/OR STABILIZERS FOR POLYMERS

The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by Monsanto Chemical Company, 800 North Lindbergh Boulevard, St. Louis 66, Missouri, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of two additional substances, 4,4'-butylidenebis-(6-tert-butyl-m-cresol) and 4,4'-thiobis-(6-tert-butyl-m-cresol), as antioxidants and/or stabilizers in polymers used in the manufacture of articles intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.2566 (28 F.R. 7777) is amended by inserting alphabetically, in paragraph (b) two new items, as follows:

§ 121.2566 Antioxidants and/or stabilizers for polymers.

(b) List of substances:

	Limitations
4,4'-Butylidenebis(6-tert-butyl-m-cresol).	For use only: 1. As provided in §§ 121.2520 and 121.2562. 2. At levels not to exceed 0.5% by weight of polypropylene film complying with § 121.2501 and for use at levels not to exceed 0.3% by weight of polyethylene film complying with § 121.2510, provided that the finished polypropylene and polyethylene films contact food only of the types identified in § 121.2526(c), table 1, under categories I, II, VI-B, and VIII.
4,4'-Thiobis(6-tert-butyl-m-cresol).	For use only: 1. As provided in §§ 121.2520 and 121.2562. 2. At levels not to exceed 0.25% by weight of polyethylene film complying with § 121.2510, provided that the specific gravity of the polyethylene film is not less than 0.926 and further provided that the finished polyethylene film contacts food only of the types identified in § 121.2526(c), table 1, under categories I, II, VI-B, and VIII.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER

file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: September 27, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-10551; Filed, Oct. 3, 1963; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 1—Federal Procurement Regulations

PART 1-1—GENERAL

Subpart 1-1.7—Small Business Concerns

1. Section 1-1.701-1(h) is amended to add an industry size standard for Census classification code 1925. As so amended, Major Group 19—Ordinance and Accessories reads as follows:

(h) *Table of specific industry employment size standards for the purpose of Government procurement.* (See footnotes at end of table.)

MANUFACTURING MAJOR GROUP 19—ORDNANCE AND ACCESSORIES		
Census classification code	Industry	Employment size standard (number of employees) ¹
1925	Guided missiles and space vehicles, completely assembled	1,000
1931	Tanks and tank components	1,000
1951	Small arms	1,000
1961	Small arms ammunition	1,000

2. Section 1-1.701-1(i) is added to include small business size standards for research, development and testing concerns.

(i) *Research, development, and testing.* Any concern bidding on a contract for research, development, and/or testing is classified:

(1) As small if it is bidding on a contract for research and/or development which requires delivery of a manufactured product and (i) it qualifies as a small business manufacturer within the meaning of § 1-1.701-1(c) for the industry into which the product is classified,

or (ii) it qualifies as a small business nonmanufacturer within the meaning of § 1-1.701-1(d).

(2) As small if it is bidding on a contract for research and/or development which does not require delivery of a manufactured product or on a contract for testing and its number of employees does not exceed 500 persons.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective immediately.

Dated: September 30, 1963.

BERNARD L. BOUTIN,
Administrator of
General Services.

[F.R. Doc. 63-10559; Filed, Oct. 3, 1963; 8:48 a.m.]

Chapter 2—Federal Aviation Agency CONTRACTS AND PROCUREMENT

Miscellaneous Amendments

This chapter is supplemented and revised as follows:

PART 2-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 2-2.2—Solicitation of Bids

§ 2-2.205 Bidders mailing lists.

§ 2-2.205-5 Release of bidders mailing lists.

Except as provided in § 1-2.205-5(b) of this title, the list of prospective bidders to whom invitations for bids have been furnished will not be made available for inspection to individuals outside the Agency. Such lists may, however, be made available to other Government agencies, at their specific request, and upon condition that the list will not be available for inspection to anyone outside the Government.

(Secs. 303, 313, 72 Stat. 747, 752; 49 U.S.C. 1344, 1354)

PART 2-7—CONTRACT CLAUSES

Subpart 2-7.1—Fixed-Price Supply Contracts

Sec.	Scope of subpart.
2-7.100	Additional clauses.
2-7.150	New materials.
2-7.150-1	Interpretation and modification.
2-7.150-2	Status of performance.
2-7.150-3	Change in place of delivery.
2-7.150-4	Evidence of delivery.
2-7.150-5	Preservation, packaging and packing.
2-7.150-6	Patent indemnity.
2-7.150-7	Authorization and consent.
2-7.150-8	Suspension of work.
2-7.150-9	Priorities and allotments.
2-7.150-10	Definition of delivery terms.
2-7.150-11	Withholding payment for non-delivery of instruction books or other technical data.
2-7.150-12	Government-furnished property.
2-7.150-13	Reproduction and use of technical data.
2-7.150-14	Publications.
2-7.150-15	Federal, state and local taxes.
2-7.150-16	Security requirements.
2-7.150-17	

AUTHORITY: §§ 2-7.100 to 2-7.150-17 issued under secs. 303, 313, 72 Stat. 747, 752; 49 U.S.C. 1344, 1354.

§ 2-7.100 Scope of subpart.

This subpart sets forth contract clauses to be used in fixed-price supply contracts, and provides instructions relative to their use.

§ 2-7.150 Additional clauses.

Unless otherwise indicated by the specific instructions for their use, the clauses set forth or cited in this section shall be included in fixed-price supply contracts, awarded as a result of formal advertising, for delivery within the United States, its possessions, or Puerto Rico. Additional clauses may be used which are considered by each procurement office to be essential to its operations, and which are not inconsistent with or in limitation of clauses set forth in this Subpart 2-7.1, or Subpart 1-7.1 of this title. Clauses used in FAA contracts which are in addition to those contained in SF-32 are to be entitled "Additional General Provisions—Supply Contracts (supplementing SF-32)". Unless inappropriate, clauses set forth in this Subpart 2-7.1 should be used in negotiated fixed price supply contracts, and contracts for foreign delivery.

§ 2-7.150-1 New materials.**NEW MATERIALS**

Unless otherwise specified in the invitation, all materials, supplies and equipment to be furnished must be new, unused and of current production.

§ 2-7.150-2 Interpretation and modification.**INTERPRETATION AND MODIFICATION**

No oral statement of any person shall be allowed to modify or otherwise affect the terms or meaning of the Invitation or any contract resulting therefrom. Any request for interpretation shall be made in writing and sent to the officer issuing the Invitation, or to the Contracting Officer as the case may be.

§ 2-7.150-3 Status of performance.**STATUS OF PERFORMANCE**

(a) The Contractor shall notify the Contracting Officer in writing whenever difficulties are encountered which may delay deliveries under the contract, stating the reason for the delay and the estimated extent thereof. The giving of such notice shall not of itself constitute a basis for an extension of delivery schedule; but failure to give timely notice may preclude later consideration of any request for an extension of contract time.

Paragraphs (b) and (c) which follow are applicable only when the contract requires fabrication or manufacture, and delivery time for the first production unit exceeds 120 days.

(b) Within 30 days from the effective date of notice to proceed, the Contractor shall furnish in duplicate to the Contracting Officer, a schedule showing the projected timing for accomplishment of each phase of the work required for each contract item. Each 30 days thereafter the Contractor shall furnish, in duplicate, a progress report which shall clearly indicate the current status of each phase of the scheduled work. The schedule and reports required by this section shall be in chart form unless a different manner of presentation is approved by the Contracting Officer. Any report which indicates a failure to meet the contract schedule, shall

be accompanied by a narrative statement of the reasons for delay and the action being taken by the Contractor to improve his rate of progress.

(c) The Contractor agrees to insert the substance of this clause, including this paragraph, in any subcontract entered into as a result of this contract.

§ 2-7.150-4 Change in place of delivery.**CHANGE IN PLACE OF DELIVERY**

When the Government directs shipment to a destination other than stated in the contract, and does not furnish a Government Bill of Lading, shipping and delivery charges shall be prepaid by the Contractor. The cost of such shipment shall be shown as a separate item on each invoice and be supported by a prepaid waybill, express receipt, or Post Office Certificate of Mailing, Form 3817 showing cost of such shipment. The Government will make an adjustment at the time of payment to account for any difference in transportation costs and contract time due to a change in destination.

§ 2-7.150-5 Evidence of delivery.**EVIDENCE OF DELIVERY**

When the contract delivery point is "F.O.B. Point of Origin", evidence of delivery shall be submitted with invoices. In the case of freight or express shipments, this evidence shall be in the form of memorandum copies of Bills of Lading duly receipted by the carrier. In the case of parcel post shipments this evidence shall be by Post Office Certificate of Mailing Form 3817. If the invoice submitted for payment is not accompanied by evidence of delivery, discounts for prompt payment will be computed from date of receipt of such evidence of delivery or the receipt of the Contractor's invoice, whichever is later. When the contract delivery point is other than "F.O.B. Point of Origin", evidence of delivery will be obtained from the consignee.

§ 2-7.150-6 Preservation, packaging and packing.**PRESERVATION, PACKAGING AND PACKING**

Unless otherwise specified, all materials shall be packaged in accordance with Preservation and Packaging Level C, and delivered in accordance with Packing Level C, both as defined in Federal Standard 102.

§ 2-7.150-7 Patent indemnity.

Except as provided in paragraph (c) below, a patent indemnity clause shall be used in contracts exceeding \$5,000, in accordance with the following instructions:

(a) An effort shall be made to determine in advance of issuing the Invitation whether the supplies (or such supplies with relatively minor modifications made thereto) normally are or have been sold to the public in the commercial open market. When this determination is affirmative, the following clause entitled "Patent Indemnity (Predetermined)" shall be used. When the contract calls only in part for supplies normally sold to the public in the commercial open market, the items which are excluded shall be listed with a statement that the clause does not apply to the listed items:

PATENT INDEMNITY (PREDETERMINED)

The Contractor agrees to indemnify the Government and its officers, agents and employees against liability, including costs, for infringements of any United States letters patent (except letters patent issued upon an application which is now or may hereafter

be kept secret or otherwise withheld from issue by order of the Government) arising out of the performance of this contract, or out of the use of or disposal by or for the account of the Government, of supplies furnished hereunder. The foregoing indemnity shall not apply unless the Contractor shall have been informed as soon as practicable by the Government of the suit or action alleging such infringement, and shall have been given such opportunity as is afforded by applicable laws, rules, or regulations to participate in the defense thereof; and further, such indemnity shall not apply if: (i) the infringement results from compliance with specific written instructions of the Contracting Officer directing a change in the supplies to be delivered or in the materials or equipment to be used; or (ii) the infringement results from addition to, or change in, such supplies or components furnished which addition or change was made subsequent to delivery or performance by the Contractor; or (iii) the claimed infringement is settled without the consent of the Contractor, unless required by final decree of a court of competent jurisdiction.

(b) When it cannot be determined in advance of issuing the Invitation that the supplies (or such supplies with relatively minor modifications made thereto) normally are or have been sold to the public in the commercial open market, the above clause (revised as follows and entitled "Patent Indemnity (Not Predetermined)") shall be used. Revision shall consist of changing the period at the end of the first sentence to a comma, and adding the following: "which supplies or component parts either normally are or have been sold or offered for sale to the public in the commercial open market by any supplier on or before the date set for the opening of bids, or are such supplies or component parts thereof, with relatively minor modifications made thereto".

(c) When it is definitely established that the supplies (or such supplies with relatively minor modifications made thereto) are not sold to the public in the commercial open market, no patent indemnity clause shall be used.

§ 2-7.150-8 Authorization and consent.**AUTHORIZATION AND CONSENT**

The Government hereby gives its authorization and consent (without prejudice to its rights of indemnification, if such rights are provided for in this contract) for all use and manufacture, in the performance of this contract or any part thereof or any amendment hereto or any subcontract hereunder (including any lower-tier subcontract), of any invention described in and covered by a patent of the United States (i) embodied in the structure or composition of any article the delivery of which is accepted by the Government under this contract, or (ii) utilized in the machinery, tools, or methods the use of which necessarily results from compliance by the Contractor or the using subcontractor with (a) specifications or written provisions now or hereafter forming a part of this contract, or (b) specific written instructions given by the Contracting Officer directing the manner of performance. The Contractor's entire liability to the Government for infringement of a patent of the United States shall be determined solely by the provisions of the indemnity clause, if any, included in the contract and the Government assumes liability for all other infringement to the extent of the authorization and consent hereinabove granted.

§ 2-7.150-9 Suspension of work.**SUSPENSION OF WORK**

The Contracting Officer may order the Contractor, in writing, or by telegram to suspend all or any part of the work for such period of time as he may determine to be appropriate for the convenience of the Government. The Contracting Officer shall make an adjustment for any increase in the time or cost of performance of the contract (excluding profit) necessarily caused by an unreasonable period of such suspension, and the contract shall be modified in writing accordingly. No adjustment shall be made to the extent that performance by the Contractor would have been prevented by other causes even if the work had not been so suspended. Any claim asserted under this clause shall be in writing and made within 30 days after the resumption of work. Failure to agree to any adjustment shall be a dispute concerning a question of fact within the meaning of the "Disputes" clause of the contract.

§ 2-7.150-10 Priorities and allotments.**PRIORITIES AND ALLOTMENTS**

The Contractor shall comply with the provisions of DMS Reg. 1 and all other applicable regulations and orders of the Business and Defense Services Administration in obtaining controlled materials required for the performance of this contract.

§ 2-7.150-11 Definition of delivery terms.**DEFINITION OF DELIVERY TERMS**

The meaning of delivery terms used in this contract such as "F.O.B. Point of Origin", "F.O.B. Destination", and other related terms used in the invitation shall be as defined under "Standard Delivery Terms (Domestic)" and "Standard Delivery Terms (Foreign)" Exhibits 9 and 10, Appendix C. GSA Reg. 1-II-209.03.

§ 2-7.150-12 Withholding payment for non-delivery of instruction books or other technical data.

When the contract requires that instruction books or other technical data be shipped with equipment, the following clause shall be included in the contract:

WITHHOLDING PAYMENT FOR NON-DELIVERY OF INSTRUCTION BOOKS OR OTHER TECHNICAL DATA

If the invitation requires that instruction books (applicable issue of Specification FAA-R-638 Instruction Books, Electronic Equipment) or other technical data (plans, drawings, reports, spare parts or repair parts lists) be shipped with the equipment, and the material does not accompany the shipment, there shall be withheld from each invoice a percentage of the contract price in accordance with the following table:

	Percentage to be withheld is
When total contract price is:	
(a) Not in excess of \$250,000-----	10%
(b) Not in excess of \$1,000,000-----	5%
(c) Over \$1,000,000-----	2%

§ 2-7.150-13 Government-furnished property.

When property will be furnished by the Government in the performance of the contract, the following clause shall be included in the contract:

GOVERNMENT-FURNISHED PROPERTY

(a) The Government shall deliver to the Contractor, for use in connection with and under the terms of this contract, the property described in the Schedule of Specifications, together with such related data and

information as the Contractor may request and as may reasonably be required for the intended use of such property. The delivery or performance dates for the supplies or services to be furnished by the Contractor under this contract are based upon the expectation that Government-furnished property suitable for use will be delivered to the Contractor at the times stated in the Schedule, or, if not so stated, in sufficient time to enable the Contractor to meet such delivery or performance dates. If material is not on hand within five days prior to the date it is required, immediate notification shall be given in writing to the Contracting Officer. Failure to give such notice may preclude later consideration of any request for extension of contract time. If such timely notice has been given, and the Government-furnished property is not delivered to the Contractor in sufficient time to permit delivery or performance within the schedule established in the contract, the Contracting Officer shall, upon timely written request made by the Contractor, make a determination of the delay occasioned the Contractor thereby, and shall adjust the delivery or performance dates or the contract price, or both. In the event the Government-furnished property is received by the Contractor in a condition not suitable for the intended use, the Contractor shall, upon receipt thereof, notify the Contracting Officer of such fact and, as directed by the Contracting Officer, either (i) return such property at the Government's expense or otherwise dispose of the property, or (ii) effect repairs or modifications. Upon the completion of (i) or (ii) above, the Contracting Officer upon written request of the Contractor shall equitably adjust the delivery or performance dates or the contract price, or both. The foregoing provisions for adjustment are exclusive and the Government shall not be liable to suit for breach of contract by reason of any delay in the delivery of Government-furnished property or delivery of such property in a condition not suitable for its intended use.

(b) By notice in writing the Contracting Officer may decrease the property furnished or to be furnished by the Government under this contract. In any such case, the Contracting Officer upon written request of the Contractor shall equitably adjust the delivery or performance or the contract price, or both.

(c) Title to the Government-furnished property shall remain in the Government. Title to Government-furnished property shall not be affected by the incorporation or attachment thereof to any property not owned by the Government, nor shall such Government-furnished property, or any part thereof, be or become a fixture or lose its identity as personalty by reason of affixation to any realty. The Contractor agrees to promptly receipt for all Government-furnished property and to maintain a suitable inventory control system acceptable to the Contracting Officer.

(d) The Government-furnished property shall, unless otherwise provided herein, be used for the performance of this contract. The Contractor shall maintain and administer, in accordance with sound industrial practices, a program for the maintenance, repair, protection and preservation of Government-furnished property.

(e) Unless otherwise provided in this contract, the Contractor, upon delivery to it of any Government-furnished property, assumes the risk of, and shall be responsible for, any loss thereof or damage thereto except for reasonable wear and tear, and except to the extent that such property is consumed in the performance of the contract. The Contractor shall not be liable for loss or destruction of or damage to Government-furnished property if such loss, destruction or damage is due to causes beyond the con-

trol and without the fault or negligence of the Contractor.

(f) The Government shall at all times have access to the premises wherein any Government-furnished property is located. (g) Upon the completion of this contract, or at such earlier date as may be fixed by the Contracting Officer, the Contractor shall submit, in a form acceptable to the Contracting Officer, inventory schedules covering all items of Government-furnished property not consumed in the performance of this contract (including any resulting scrap), or not theretofore delivered to the Government, and shall deliver or make such other disposal of such Government-furnished property as may be directed or authorized by the Contracting Officer. The net proceeds of any such disposal shall be credited to the contract price or shall be paid in such manner as the Contracting Officer may direct.

§ 2-7.150-14 Reproduction and use of technical data.

When the contract will require manufacture or fabrication of equipment, the following clause shall be included in the contract:

REPRODUCTION AND USE OF TECHNICAL DATA

The Contractor agrees to and does hereby grant to the Government, to the full extent of the Contractor's right to do so without payment of compensation to others, the right to reproduce, use, and disclose for Governmental purposes, all or any part of the reports, drawings, blueprints, data, and technical information acquired under this contract.

§ 2-7.150-15 Publications.**PUBLICATIONS**

The Contractor agrees that he will not publish, have published, or otherwise disseminate any information of whatever nature resulting from the work being performed under this contract except as may be approved by the Contracting Officer.

§ 2-7.150-16 Federal, State and local taxes.

When Federal, State and local taxes are to be included in the bid prices, the following clause, which supplements the clause set forth in § 1-11.401 of this title, shall be included in the contract:

FEDERAL, STATE AND LOCAL TAXES

The prices quoted shall include all Federal, State and local taxes in effect as of the tax inclusive date.

§ 2-7.150-17 Security requirements clause.

The following clause shall be included in contracts only when they are classified as "confidential" or "Confidential-Modified Handling Authorized" or higher. If it is not definite that a security requirements clause is necessary when an invitation is issued or a contract executed, the clause shall not be used. If it becomes necessary to use the clause after a contract has been executed, the contract can be modified accordingly and an equitable adjustment negotiated. The Contracting Officer shall notify the Security Division, Office of Compliance and Security, when a contract has been executed which contains a security requirements clause.

SECURITY REQUIREMENTS

(a) The provisions of this clause shall apply to the extent that this contract involves access to information classified "Con-

idential" including "Confidential-Modified Handling Authorized" or higher.

(b) The Government shall notify the Contractor of the security classification of this contract and the elements thereof, and of any subsequent revisions in such security classification, by the use of a Security Requirements Check List (DD Form 254), or other written notification.

(c) To the extent the Government has indicated as of the date of this contract or thereafter indicates security classification under this contract as provided in paragraph (b) above, the Contractor shall safeguard all classified elements of this contract and shall provide and maintain a system of security controls within its own organization in accordance with the requirements of: (1) the Security Agreement (DD Form 441), including the Department of Defense Industrial Security Manual for Safeguarding Classified Information as in effect on date of this contract, and any modification to the Security Agreement for the purpose of adapting the Manual to the Contractor's business; and (2) any amendments to said Manual made after the date of this contract, notice of which has been furnished to the Contractor by the Security Office of the Military Department having security cognizance over the facility.

(d) Representatives of the Military Department having security cognizance over the facility and representatives of the Federal Aviation Agency shall have the right to inspect at reasonable intervals the procedures, methods, and facilities utilized by the Contractor in complying with the security requirements under this contract. Should the Government, through these representatives, determine that the Contractor is not complying with the security requirements of this contract, the Contractor shall be informed in writing by the Security Office of the cognizant Military Department of the proper action to be taken in order to effect compliance with such requirements.

(e) If subsequent to the date of this contract, the security classifications or security requirements under this contract are changed by the Government as provided in this clause and the security costs under this contract are thereby increased or decreased, the contract price shall be subject to an equitable adjustment by reason of such increased or decreased costs. Any equitable adjustment shall be accomplished in the same manner as if such changes were directed under the "Changes" clause in this contract.

(f) The Contractor agrees to insert, in all subcontracts hereunder which involve access to classified information, provisions which shall conform substantially to the language of this clause, including this paragraph (f) but excluding the last sentence of paragraph (e) of this clause.

(g) The Contractor also agrees that it shall determine that any subcontractor proposed by it for the furnishing of supplies and services which will involve access to classified information in the Contractor's custody has been granted an appropriate facility security clearance, which is still in effect, prior to being accorded access to such classified information.

PART 2-17—EXTRAORDINARY CONTRACTUAL ACTIONS TO FACILITATE THE NATIONAL DEFENSE

Part 2-17 of the Federal Aviation Procurement Regulations published in the FEDERAL REGISTER on April 7, 1962 (27 F.R. 3324) is hereby cancelled in its entirety.

(Secs. 303, 313, 72 Stat. 747, 752; 49 U.S.C. 1344, 1354)

Effective date: These regulations are effective November 1, 1963.

Dated: September 27, 1963.

JOHN E. PERNICE,
Chief, Procurement Division,
Installation and Material Service.

[F.R. Doc. 63-10522; Filed, Oct. 3, 1963;
8:45 a.m.]

Chapter 9—Atomic Energy Commission

PART 9-1—GENERAL

Subpart 9-1.50—Change Orders, Equitable Adjustments, and Supplemental Agreements for Fixed-Price Contracts

The following subpart is added:

Sec.	
9-1.5000	Scope of subpart.
9-1.5001	General policy.
9-1.5002	Applicability.
9-1.5003	Definitions.
9-1.5004	Change orders and other unilateral-type modifications within the general contract scope.
9-1.5004-1	Change orders.
9-1.5004-2	Unilateral-type contract modifications other than change orders.
9-1.5005	Changes outside the general contract scope.
9-1.5006	Preparation of change orders, other unilateral contract modifications, and supplemental agreements.
9-1.5007	Surety bonds.

AUTHORITY: §§ 9-1.5000 to 9-1.5007 issued under sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390; 40 U.S.C. 486.

§ 9-1.5000 Scope of subpart.

This subpart sets forth the circumstances under which change orders, other unilateral-type contract modifications, and supplemental agreements are to be used in connection with AEC fixed-price prime contracts, and outlines general procedures to be followed in the preparation and negotiation of such modifications, including determination of necessary equitable adjustments in price or performance time.

§ 9-1.5001 General policy.

It is the policy of AEC to handle change orders and supplemental agreements to fixed-price contracts expeditiously and economically without sacrificing sound contract administration or lessening the opportunity for proper consideration of all pertinent factors in effecting equitable adjustments and settlements. Conscientious observance of this policy by AEC and its contractors and subcontractors will reduce to a minimum formal disputes and litigation with resulting expense and delays which are harmful to all concerned.

§ 9-1.5002 Applicability.

(a) The policies and procedures set forth in this subpart apply to all AEC fixed-price prime contracts.

(b) Contracting Officers shall require AEC cost-type contractors to follow the policies and procedures set forth in this

subpart to the maximum extent practicable for their fixed-price subcontracts (see AECPR 9-1.104(b)).

§ 9-1.5003 Definitions.

For the purpose of this subpart, the following terms have the meanings set forth in this section:

(a) *Article*. "Article" means an article or clause as these terms are used in the various standard contract forms used by the AEC to designate separate and distinct contract provisions.

(b) *Change order*. "Change order" means a written directive to the contractor (1) to add, vary, or omit work within the general scope of the contract under provisions permitting or requiring such changes without the consent of the contractor and (2) effecting, either with or without prior agreement of the contractor according to the circumstances, an equitable adjustment in the contract price or performance time, or both.

(c) *Contract modification*. The meaning of "contract modification" is as defined in FPR 1-1.219.

(d) *Equitable adjustment or adjustment*. "Equitable adjustment" or "adjustment" means a determination or agreement that no change in contract price or performance time is to be made as well as that an increase or decrease is made in one or both of these factors.

(e) *Supplemental agreement*. "Supplemental agreement" means a negotiated, bilateral modification of a contract effecting changes in the general scope of work or other contract terms and conditions.

§ 9-1.5004 Change orders and other unilateral-type modifications within the general contract scope.

§ 9-1.5004-1 Change orders.

(a) Use of change orders.

(1) A change order shall be used to direct an addition to or variation or omission from the work within the general scope of a contract in accordance with the contract provisions and to effect an equitable adjustment in contract price and performance time.

(2) A change order shall not be used to effect additions, alterations, or deletions of work which involve a change in the general scope of a contract or to change any of the substantive provisions of a contract, such as time of commencement, methods of payment, and refund of retained percentages.

(b) *Obligation of contractor*. Under the terms of standard fixed-price contract forms the contractor agrees in advance to perform such changes in the work as are within the general scope of the contract. A written order to the contractor making such a change is binding upon him whether or not the order contains adjustments of price and time, and he is obligated to proceed with the work as changed pending determination of equitable adjustments. If the order contains unilateral adjustments of price and time with which the contractor cannot agree, he has the right to protest or appeal from such determination in accordance with the language of the particular contract article under which the order was issued, but he must com-

ply with the requirements of such article in order for his protest or appeal to be effective.

(c) *Method of issuance.* (1) Whenever possible, prior agreement should be reached with the contractor regarding any price and time adjustments and a complete one-part change order should be issued prior to commencement of the changed work. If agreement cannot be reached within available time, the directive portion of the change order should be issued in any case prior to commencement of the changed work.

(2) When failure to reach mutual agreement on equitable adjustments prior to issuance of a change order is due to inability to obtain adequate proposals from the contractor or to reaching an impasse in negotiations, rather than to lack of available time, a complete one-part change order should be issued as a unilateral action with price and time adjustments based on the Government estimate.

(3) A two-part change order should be used when a complete one-part change order has not been issued under either subparagraph (1) or (2) above. The first part should set forth the details of the change and contain a statement that price and time adjustments will be settled by the parties at an early date. The second part should contain the adjustments in price and time. Where appropriate, the first part of a two-part change order may establish an interim price as a basis for such partial payments as can be thoroughly substantiated by cost estimates; the interim price should not include profit or items which might be controversial. Every effort should be made by the parties to reach agreement on part two of the two-part change order as expeditiously as possible. When the parties fail to reach agreement as to equitable adjustments due to inability to obtain adequate proposals from the contractor, the reaching of an impasse in negotiations, or for any other proper reason, the second part of a two-part change order should be issued as a unilateral action with price and time adjustments based on the Government estimate.

(4) In all cases where agreement is reached with the contractor on equitable price and time adjustments, the contractor's acceptance shall be indicated by his signature on the change order to establish that mutual agreement has been reached.

(5) According to the circumstances of the particular case, the contractor's protest or "appeal" from unilateral adjustments of price and time in a change order should be treated (i) as a claim for consideration and decision, based on findings of fact by the Contracting Officer, subject to further appeal, or (ii) as an appeal from the Contracting Officer's decision. The latter alternative should apply only when the unilateral adjustments were preceded by a full consideration of the details of the contractor's claim, a thorough effort to resolve differences by negotiation, and a decision by the Contracting Officer based upon formal findings of fact. See "Rules of Procedure in Contract Appeals", 10 CFR Part 2, Subpart D.

(d) *Adjustment of price or time.* Any equitable adjustment in price or time must be determined as of the date the change is directed. Estimated increased costs of performing the contract as changed, which are a direct result of the change order, are proper for consideration in an equitable adjustment in price. Ascertainment of costs which may be properly included in any equitable adjustment depends upon all of the facts surrounding a particular change. The following procedures shall be followed in establishing price and time adjustments for change orders:

(1) *Contractor's proposal.* The contractor shall be furnished details of the change and be requested to submit a statement that the directed change will not require a change in contract price or time or, if an increase or decrease in contract price or time will result, an estimate of cost, broken down as appropriate between features of work and into costs of labor, materials, equipment, construction equipment, taxes, bonds, insurance, overhead and profit, and the change in time for completion, if any.

(2) *Government estimate.* An independent Government estimate of the cost of the changed work shall be prepared on the basis, as applicable, of the costs of labor, materials, equipment, construction equipment, taxes, bonds, and insurance (direct costs) upon which appropriate allowances for profit and overhead should be made. The change in the time of performance, if any, should also be estimated.

(3) *Use of actual costs.* Costs actually incurred may be considered, to the extent that they are determined to be both necessary and reasonable, in determining price adjustments for changes that have been completed, but they are not to be used as the basis for price adjustments since the price adjustment must be determined as of the date the change was directed.

§ 9-1.5004-2 Unilateral-type contract modifications other than change orders.

Fixed-price contracts often include provisions other than Changes articles which contemplate, as a result of specified happenings or actions, unilateral equitable adjustments in the contract price or performance time in the event of failure to reach mutual agreement. To the extent applicable, the procedures for the handling of change order equitable adjustments specified in § 9-1.5004-1 shall be followed in the treatment of such other equitable adjustments. Such other adjustments include:

(a) Adjustments in price and time resulting from differences in physical conditions as described in the "Changed Conditions" article which appears in Standard Form 23-A: General Provisions (Construction Contract) and other contracts.

(b) Certain time extensions as covered by provisions of contract articles dealing with default terminations, delays, and time extensions.

(c) Time or price adjustments resulting from suspension, delay, or interruption of work covered by applicable contract articles.

(d) Adjustments in price and time resulting from the removing or tearing out of construction work which subsequently is found to meet contract requirements as covered by inspection articles.

§ 9-1.5005 Changes outside the general contract scope.

(a) *Use of supplemental agreements.* (1) A supplemental agreement is used to modify a contract when a substantive change is necessary, such as a change in the general scope of the contract, changes in basic contract articles, or a deletion or addition of contract articles.

(2) A supplemental agreement shall not be used for work additions unless the added work is so closely related to work under the existing contract, or for other reasons, that it is impracticable to accomplish the new work under a separate fixed-price contract awarded as a result of formal advertising or invited proposal procedures. The use of a supplemental agreement for additional work shall be fully justified as being in the best interest of the Government and shall satisfy AEC requirements for procurement by negotiation.

(3) Whenever time will permit, a supplemental agreement shall be issued and signed by both parties prior to the commencement of any work covered by the modification. When construction must be started before a supplemental agreement can be completed, prior agreement shall be confirmed by letter or a letter-type supplemental agreement should be issued to authorize the start of work.

(b) *Negotiation.* Since a supplemental agreement concerns a change in contract terms or in work which is not within the general scope of the contract, any price and time adjustment must be acceptable to the contractor and the supplemental agreement must be effected by negotiation with the contractor. The following procedures shall be used:

(1) *Contractor's proposal.* The contractor shall be furnished a description of the change, together with any applicable revised plans and specifications, and be requested to submit a proposal for the changed work, including a detailed estimate of any change in price or time involved in the performance of the work.

(2) *Government estimate.* An independent government estimate shall be prepared in accordance with applicable provisions of § 9-1.5004-1(d)(2).

(3) *Agreement on price or time adjustment.* In the event negotiation with the contractor does not result in reasonable reconciliation between the contractor's estimate and the government estimate, the Contracting Officer must determine whether, under the circumstances, contracting with others for the work involved would better serve the interest of the Government.

§ 9-1.5006 Preparation of change orders, other unilateral contract modifications, and supplemental agreements.

(a) Suggested outlines that may be used as guides in preparing change orders and supplemental agreements to fixed-price construction contracts are set

forth in §§ 9-16.5002-10 and 9-16.5002-11, respectively.

(b) See Part 9-53 for numbering and distribution of contract modifications.

(c) See Part 9-55 for required justification and documentation.

§ 9-1.5007 Surety bonds.

Additional performance bond protection in connection with and consent of surety to change orders and supplemental agreements to fixed-price contracts shall be obtained when they are determined to be appropriate on the basis of AECPR 9-10. (Until issued, use AEC Manual Chapter 9114.)

Effective date. These regulations are effective 45 days after publication in the FEDERAL REGISTER, but may be observed earlier.

Dated at Germantown, Maryland, this 26th day of September 1963.

For the U.S. Atomic Energy Commission.

JOHN V. VINCIGUERRA,
Director,
Division of Contracts.

[F.R. Doc. 63-10515; Filed, Oct. 3, 1963; 8:45 a.m.]

PART 9-16—PROCUREMENT FORMS

Subpart 9-16.50—Contract Outlines

The following contract outlines are added:

§ 9-16.5002-10 Outline of a change order for fixed-price construction contracts.

UNITED STATES
ATOMIC ENERGY COMMISSION
(Insert Office and Location)

Modification No. -----
Change Order to
Contract No. -----
Date: -----

Name of Contractor:
Address:

Gentlemen:

(1) Reference is made to Clause(s) ----- of the General Provisions to your Contract No. -----, dated -----, for the construction of -----, located at -----.

(2) It has been determined that in view of (insert here the reasons for modification of the contract), it is necessary and in the best interest of the Government to modify said contract in certain particulars as follows:

Note: (Insert here details of the changes, including as appropriate: reference to pertinent portions of existing or added drawings and specifications; change in quantities, together with unit prices if applicable; and the amount of the increase or decrease in contract price, a statement that there is no adjustment in price, or a statement that agreement as to price will be reached at an early date.)

(3) It is understood and agreed that on account of the foregoing modification of said contract additional time will (will not) be allowed.

Note: (If additional time is allowed or if the contract time is decreased because of the change, state definitely the change in time; if agreement as to time has been deferred, include a statement to that effect.)

(4) All other terms and conditions of said contract as it heretofore may have been modified shall be and remain the same.

(5) Therefore if the foregoing modification of said contract is satisfactory, please indicate your acceptance in the space provided below and return ----- copies to this office. The extra copy of the modification is for your record.

THE UNITED STATES OF AMERICA
By: UNITED STATES ATOMIC ENERGY
COMMISSION

By: -----
Contracting Officer
(or Authorized Representative
of C.O.)

The foregoing modification of said contract is hereby accepted.

By: -----
(Name of Company)

Title: -----

§ 9-16.5002-11 Outline of a supplemental agreement for fixed-price construction contracts.

(a) A description of the nature and scope of the changes in the work.

(b) A description of the manner in which the terms or conditions of the contract are being modified or the circumstances that qualify the action as a change in the general scope of the contract.

(c) The amount the contract price is increased or decreased.

(d) The adjustment in time for completion, or a statement that there is no such adjustment.

(e) A statement that except as modified by the supplemental agreement, the provisions of the contract shall remain in full force and effect.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These regulations are effective 45 days after publication in the FEDERAL REGISTER, but they may be observed earlier.

Dated at Germantown, Md., this 26th day of September 1963.

For the U.S. Atomic Energy Commission.

JOHN V. VINCIGUERRA,
Director,
Division of Contracts.

[F.R. Doc. 63-10516; Filed, Oct. 3, 1963; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[No. 34206; Ex Parte 205]

PART 123—FREIGHT COMMODITY STATISTICS

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

PART 206—FREIGHT COMMODITY STATISTICS

Miscellaneous Amendments

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 13th day of September, A.D. 1963.

On January 9, 1963, the Commission, Division 2, issued its notice of proposed

rule making advising that it had under consideration the requirement that carriers reporting commodity statistics make their reports on the basis of the commodity codes named in Appendix A to the notice in lieu of the 262 freight commodity classes presently required. The proposed code was to become effective with annual or quarterly reports, as the case might be, for the year 1964. The notice was served upon or mailed to class I and II railroads, class A and B carriers by water, maritime carriers, and class I common and contract motor carriers of property, as described in the notice, and was subsequently served on electric railways; it was published in the FEDERAL REGISTER on February 2, 1963, 28 F.R. 1062.

The notice stated that any party desiring to make representations in regard to the proposed change might do so through the submission of written data, views or arguments, within 60 days after publication of the notice in the FEDERAL REGISTER. The initial closing date of April 3 was postponed, successively, to May 6 and to May 27, 1963.

By petition filed March 11, 1963, the Association of American Railroads asked that the Commission delay the proceedings herein, pending institution of an action looking toward determination of the matter of equal disclosure of freight commodity statistics filed by all modes, or in the alternative, that this proceeding be broadened to include the issue of disclosure, and that the date of filing statements herein be extended until some such determination might have been made. A reply to the petition was filed March 21, 1963, by the American Trucking Associations, Inc.

The petition related primarily to the circumstance that, while the reports of commodity statistics by railroads are open to public inspection, those of motor carriers are not, being held as confidential under § 206.7, approved by the entire Commission, January 8, 1957, in Ex Parte No. 205, Motor Carrier Freight Commodity Statistics, 69 MCC 327.

An order denying the AAR petition of March 11, except as to extension of the date for filing statements in No. 34206, was entered by the entire Commission under date of May 2, 1963. A further petition in regard to Ex Parte No. 205 is being handled separately from but concurrently with the instant proceeding.

Representations concerning adoption of the proposed commodity codes were received from more than 20 interested parties, including the Association of American Railroads, 6 individual motor carriers, the Common Carrier Conference of Domestic Water Carriers, the National Industrial Traffic League, various trade associations and individual shippers, and 4 governmental agencies. A motion of the American Trucking Associations, Inc., to strike certain portions of the representation of the Association of American Railroads, is overruled as the matter complained of is not prejudicial to the ATA in disposition of the issues herein. A request of the AAR for oral hearing is denied.

The proposed commodity classification, attached to the notice of rule making,

was designed to be compatible with the "Commodity Classification for Transportation Statistics," reissued in July by the Bureau of the Budget, which also has been expanded by and adapted to the use of the Association of American Railroads, as its "Standard Transportation Commodity Code." Use of the AAR code is scheduled to begin with 1964, the same time as contemplated by the Commission proposal.

A principal source of objection to the Commission's proposed code was the use of classes ending in "0", sometimes styled "zero classes," some of them combining 3- or 4-digit codes used by the Budget Bureau, and others being residual groups of 5-digit codes. These "zero classes," it was urged, collected items in, but were not strictly compatible with the items in the Budget Bureau Code. The "zero classes" have been eliminated. Requests of trade groups, industries, and Government departments for additional "breakouts" of specified commodities have been considered, and in some instances appropriate changes have been made.

Other objections ran to the number of codes, 369 as compared with the 262 presently required, and to the necessity of reporting items at specified 5-digit level.

While all objections have not been met, they have been considered, and none appear to be of sufficient merit to warrant delay in adoption of a code for the reporting of commodity statistics.

In July of this year the Bureau of the Budget reissued its 1300-item "Commodity Classification for Transportation Statistics," which is to be used in the Census of Transportation being conducted by the Bureau of the Census. This code, with commodity groups 01 through 40, is related to the "Standard Industrial Classification," used for more general industrial reporting. The AAR code, described above, with some revision, is compatible with the Budget Bureau transportation code for groups 01 through 40, included in both, and also has been supplemented, groups 41 through 46, with some 3, 4, 5, and 7-digit codes, to cover types of traffic not adaptable to commodity classification, i.e., forwarder traffic.

Adoption by the Commission of the revised "Commodity Classification for Transportation Statistics," groups 01 through 40, as a framework or basis for commodity statistics reported to it will afford, for such codes as might be used, identity with the same codes as employed in other government transportation statistics. There will be identity with the AAR classification. Reporting different degrees of commodity detail in recognition of the characteristics of the different modes or individual carriers is made possible since varying digit levels from the full 5-digit code may be specified.

The needs of the Commission for quarterly or annual reporting, to begin with reports for traffic moving in 1964, will be met by quarterly or annual reporting, as the case might be, by use of the 410 specified 3, 4, and 5-digit codes set out in § 123.52, consisting of 178 3-digit

codes, and 124 and 108 selected 4- and 5-digit codes respectively.

The orders herein are adopted to place the Commission commodity reporting system on a basis comparable with a revised commodity classification being used by Government and the transportation industry, and to secure continued reporting at a level of detail comparable to that presently required. The matters of equality of reporting and of disclosure of reports will be taken up separately in No. 34315, Commodity Statistics—Extent and Disclosure, instituted by the Commission on September 13, 1963.

The orders herein relate to the compilation and reporting of statistics and do not otherwise impose requirements governing the keeping of carrier records. Carriers desiring to report in more detail than is required by the orders herein should submit written requests to the Bureau of Transport Economics and Statistics for approval.

It appearing, that the commodity classification issued by the Bureau of the Budget, and certain supplemental codes, should be adopted as the basis of the reporting of commodity statistics by carriers reporting such statistics, and that carriers should be required to report items deemed necessary for the Commission's use, set forth in § 123.52, subject to existing reporting requirements in such respects as items to be reported, periods covered, time of filing, and copies to be filed, the following changes in and additions to outstanding orders respecting reports of railroads; water carriers, electric railways, and motor carriers shall be made:

RAILROADS

It is ordered, That §§ 123.1, 123.2, 123.3 (a) and 123.4(n), of the orders of September 24, 1946, October 16, 1946, and November 23, 1955, in the matter of Freight Commodity Statistics, as such sections may have been amended, be, and they are hereby, modified as amended, as to traffic and reports for the year beginning January 1, 1964, to read as set out below;

It is further ordered, That §§ 123.1, 123.2, 123.3(a) and 123.4(n) be modified and amended to read as follows:

§ 123.1 Freight commodity statistics.

Commencing with reports for the first quarter of 1964 or for the year 1964, as the case might be, and thereafter until further order, all Class I and Class II railroads, as described in § 126.1 of this chapter, subject to Part I of the Interstate Commerce Act, other than switching and terminal companies, shall compile and report freight commodity statistics on the basis of the commodity codes named in § 123.52. Class I railroads shall report quarterly and annually on the basis of the 3, 4 and 5-digit commodity codes named in that section, and Class II railroads shall report annually on the basis of the 2-digit commodity codes named therein. Such reports shall be made in conformity with the outline of terms set forth in §§ 123.2 to 123.5, inclusive, as supplemented by instructions included in the appropriate report forms to be supplied to the reporting railroads.

§ 123.2 Items to be reported.

(a) The following items are to be reported quarterly and annually by class I railroads:

(1) Average number of miles of road operated in freight service.

(2) For each commodity code used in reporting, except that the number of carloads for commodity code 431, "Small packaged freight shipments," shall be omitted, the following items:

Revenue freight originating on respondent's road:

Terminating on line:

Number of carloads.

Number of tons (2,000 pounds).

Delivered to connecting rail carriers.

Number of carloads.

Number of tons (2,000 pounds).

Revenue freight received from connecting rail carriers:

Terminating on line:

Number of carloads.

Number of tons (2,000 pounds).

Delivered to connecting rail carriers:

Number of carloads.

Number of tons (2,000 pounds).

Total revenue freight carried:

Number of carloads.

Number of tons (2,000 pounds).

Gross freight revenue.

(b) The following items are to be reported annually by Class II railroads for the 2-digit codes in § 123.52:

Number of tons (2,000 pounds) of revenue freight originating on respondent's road.

Number of tons (2,000 pounds) of revenue freight received from connecting carriers.

Total revenue freight carried:

Number of tons (2,000 pounds each).

Gross freight revenue.

§ 123.3 Carload and L.C.L. traffic defined.

(a) Commodity codes 01 through 422 and 44 through 462, named in § 123.52, shall include only carload traffic. All shipments weighing less than 10,000 pounds shall be included in commodity code 431, "Small packaged freight shipments."

§ 123.4 Originating and connecting line traffic.

(n) Commodity codes 44 and 441, "Freight forwarder traffic," as named in § 123.52, include freight traffic in carloads shipped by or consigned to any forwarder holding a certificate under Part IV of the Interstate Commerce Act.

It is further ordered, That the appendix to the above-described orders, in Freight Commodity Statistics, be vacated and set aside, as to traffic and reports for the year beginning January 1, 1964, and that Appendix I, following § 123.5 be deleted.

(Sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended; 49 U.S.C. 20)

CARRIERS BY WATER

It is ordered, That §§ 123.21, 123.22, 123.23, 123.24 (a), (d), and (e), of the orders of November 25, 1946, and November 20, 1950, in the matter of Freight Commodity Statistics, Carriers by Water, as such sections may have been

amended, be, and they are hereby, modified and amended, as to traffic and reports for the year beginning January 1, 1964, to read as set out below:

It is further ordered, That §§ 123.21, 123.22, 123.23, 123.24 (a), (d) and (e), be modified and amended to read as follows:

§ 123.21 Freight commodity statistics.

Commencing with reports for the year beginning January 1, 1964, and thereafter until further order, all carriers by water subject to the provisions of Parts I and III of the Interstate Commerce Act, assigned to classes A and B, as described in § 126.2, of this chapter, shall compile and report freight commodity statistics annually on the basis of the 3, 4 and 5-digit commodity codes named in § 123.52. Full information shall be furnished in accordance with the terms of outlines and requirements set forth in §§ 123.22 to 123.27, as supplemented by instructions included in the annual report forms to be supplied to the reporting water carriers.

§ 123.22 Items to be reported.

For each commodity code used in reporting, the following items and subdivisions thereof are to be reported annually by each carrier by water, except shipments of less than 10,000 pounds, which shall be reported as provided in § 123.23 (b):

- a. Number of tons (2,000 pounds) of revenue freight carried:
 - Joint rail and water traffic
 - All other traffic
 - Total
- b. Gross freight revenue (dollars):
 - Joint rail and water traffic
 - All other traffic
 - Total

§ 123.23 Traffic defined.

(a) Commodity codes used in reporting, except commodity code 431, "Small packaged freight shipments," shall include shipments weighing 10,000 pounds or more, except as provided in paragraph (b) of this section.

(b) Shipments of less than 10,000 pounds of one commodity shall be reported under commodity code 431, "Small packaged freight shipments," unless the reporting carrier elects to distribute all revenue freight among the other designated classes.

§ 123.24 Number of tons of revenue freight.

(a) Tonnage of commodities, in tons of 2,000 pounds, carried by the reporting carrier in its water-line and motor-truck operations, and for the reporting carrier in the vessels and motor trucks of other companies (carriers) under contract, in revenue service, shall be separate for each commodity code between "Joint rail and water traffic" and "All other traffic." The separation as to joint rail and water traffic and all other traffic may be omitted for commodity code 431, "Small packaged freight shipments."

(d) Commodity code 37111, "Passenger cars, assembled," is confined to vehicles carried as revenue freight on freight rates and does not include those

carried as an adjunct to passenger business.

(e) Commodity code 441, "Freight Forwarder Traffic," includes freight traffic shipped by or consigned to any forwarder holding a certificate under Part IV of the Interstate Commerce Act.

It is further ordered, That the appendix to the order of November 25, 1946, in Freight Commodity Statistics, Carriers by Water, be vacated and set aside as to traffic and reports for the year beginning January 1, 1964, and that Appendix I following § 123.27 be deleted.

(Sec. 12, 24 Stat. 383, as amended, 49 U.S.C. 12, sec. 304, 54 Stat. 933, 49 U.S.C. 904. Interpret or apply sec. 20, 24 Stat. 386, as amended, 49 U.S.C. 20, sec. 313, 54 Stat. 944, as amended, 49 U.S.C. 913)

ELECTRIC RAILWAYS

It is ordered, That §§ 123.35, 123.36, 123.37(a), and 123.38(n), of the order of November 25, 1946, in the matter of Freight Commodity Statistics, Electric Railways, be modified and amended, as to traffic and reports for the year beginning January 1, 1964, to read as set out below:

It is further ordered, That §§ 123.35, 123.36, 123.37(a) and 123.38(n) be modified and amended to read as follows:

§ 123.35 Freight commodity statistics and operating statistics.

Commencing with reports for the year beginning January 1, 1964, and thereafter until further order, carriers by electric railway, subject to the provisions of Part I of the Interstate Commerce Act, which reported more than 1,000,000 freight, mail, and express car-miles in rail-line operations during the year 1946, shall compile freight commodity statistics and operating statistics, and report annually such statistics to this Commission, according to the items and subdivisions thereof listed in § 123.36, and for each 3, 4 and 5-digit commodity code named in § 123.52. Full information shall be furnished in accordance with the terms and requirements outlined below, as supplemented by instructions included in the annual report forms to be supplied to the reporting electric railways.

§ 123.36 Items to be reported for each commodity code.

For each commodity code used in reporting, the following items and subdivisions thereof are to be reported annually by each electric railway, as defined in § 123.35, except that the number of carloads for commodity code 431, "Small packaged freight shipments," shall be omitted.

(a) Revenue freight originating on respondent's road:

- Terminating on line:
 - Number of carloads.
 - Number of tons (2,000 pounds).
- Delivered to connecting carriers:
 - Number of carloads.
 - Number of tons (2,000 pounds).

(b) Revenue freight received from connecting carriers:

- Terminating on line:
 - Number of carloads.
 - Number of tons (2,000 pounds).

Delivered to connecting carriers:

- Number of carloads.
- Number of tons (2,000 pounds).

(c) Total revenue freight carried:

- Number of carloads.
- Number of tons (2,000 pounds).

(d) Gross freight revenue.

§ 123.37 Carload and L.C.L. traffic defined.

(a) Commodity codes 01 through 422 and 44 through 462, shall include only carload traffic. All shipments weighing less than 10,000 pounds shall be included in commodity code 431, "Small packaged shipments."

§ 123.38 Originating and connecting line traffic.

(n) Commodity code 441, "Freight forwarder traffic," as named in § 123.52, includes freight traffic in carloads shipped by or consigned to any forwarder holding a certificate under Part IV of the Interstate Commerce Act.

It is further ordered, That Appendix I to the above-described order as to Freight Commodity Statistics, Electric Railways, be vacated and set aside as to traffic and reports for the year beginning January 1, 1964, and that Appendix I following § 123.43 be deleted.

(Sec. 12, 24 Stat. 383, as amended, 49 U.S.C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended; 49 U.S.C. 20)

COMMODITY CODE

It is further ordered, That, with respect to the reporting of commodity statistics for the year or quarter, beginning with January 1, 1964, as the case might be, the ordering paragraphs set out below shall apply as to commodity codes to be used:

It is further ordered, That 49 CFR be amended by adding thereto a heading, "Commodity Code," and §§ 123.51 and 123.52, as follows:

§ 123.51 Commodity classification designated.

Commencing with reports for the year or quarter beginning January 1, 1964, as the case might be, and thereafter until further order, reports of commodity statistics required to be made to the Commission, shall be based on the commodity codes, up to 5 digits, in groups 01 through 40, in the Commodity Classification for Transportation Statistics, 1963, issued by the Bureau of the Budget, and on additional codes 411 through 462 shown in § 123.52.

§ 123.52 Commodity codes required.

Commodity codes required to be reported, as referred to in this part or in Part 206 of this chapter, are as follows:

Code	Description
01	FARM PRODUCTS.
011	Field Crops.
0112	Cotton, raw.
01121	Cotton in bales.
0113	Grain:
01131	Barley.
01132	Corn, except popcorn.
01133	Oats.

Code	Description	Code	Description	Code	Description
01134	Rice, rough.	13	CRUDE PETROLEUM, NATURAL GAS, AND NATURAL GASOLINE.	20421	Prepared feeds for animals and fowls, except canned.
01135	Rye.	131	Crude Petroleum and Natural Gas.	20423	Canned feed for animals and poultry.
01136	Sorghum grains.	132	Natural Gasoline.	2043	Cereal preparations.
01137	Wheat, except buckwheat.	14	NONMETALLIC MINERALS, EXCEPT FUELS.	2044	Milled rice, flour and meal.
01139	Grain, n.e.c.	141	Dimension Stone, quarry.	2045	Blended and prepared flour.
0114	Oil seeds, oil nuts, and oil kernels, except edible tree nuts.	142	Crushed and Broken Stone, including riprap	2046	Corn starch, sirup, oil, sugar and by-products (wet process).
01144	Soybeans.	14211	Agricultural limestone.	20461	Corn sirup.
0115	Field seeds, except oil seeds.	14219	Crushed and broken stone, including riprap, n.e.c.	20462	Corn starch.
0119	Miscellaneous field crops.	144	Sand and Gravel.	20463	Corn sugar.
01193	Leaf tobacco.	14411	Sand (aggregate and ballast).	205	Bakery Products.
01195	Potatoes, other than sweet.	14412	Gravel (aggregate and ballast).	206	Sugar (beet and cane).
01197	Sugar beets.	14413	Industrial sand and gravel.	2061	Sugar mill products and by-products.
012	Fresh Fruits and Tree Nuts.	145	Clay, Ceramic and Refractory Minerals.	20611	Raw cane and beet sugar.
0121	Citrus fruits.	14511	Bentonite.	20616	Sugar molasses, except blackstrap.
0122	Deciduous fruits.	14512	Fire clay.	20617	Blackstrap molasses.
01221	Apples.	14514	Kaolin and ball clay.	2062	Sugar, refined: Cane and beet.
01224	Grapes.	147	Chemical and Fertilizer Minerals.	20625	Sugar refining by-products.
01226	Peaches.	14711	Barite.	20626	Pulp, molasses, beet.
0123	Tropical fruits, except citrus.	14713	Potash, soda and borate.	207	Confectionery and related products.
01232	Bananas.	14714	Phosphate rock.	208	Beverages and flavoring extracts.
0129	Miscellaneous fresh fruits and tree nuts.	14715	Rock salt.	20821	Beer, ale, porter, stout: Bottled, barrels, kegs.
01295	Coffee, green.	14716	Sulphur.	20823	Malt extract and brewers' spent grains.
013	Fresh Vegetables.	149	Miscellaneous Nonmetallic Minerals, Except Fuels.	2083	Malt.
0131	Bulbs, roots, and tubers, with or without tops except potatoes.	14911	Gypsum and anhydrite.	2084	Wines, brandy, and brandy spirits.
01318	Onions, dry.	14913	Native asphalt and bitumens.	20851	Distilled, rectified and blended liquors.
0133	Leafy fresh vegetables.	14914	Pumice and pumicite.	20859	By-products of liquor distilling.
01334	Celery.	19	ORDNANCE AND ACCESSORIES.	2086	Bottled and canned soft drinks and carbonated and mineral waters.
01335	Lettuce.	191	Guns, Howitzers, Mortars, and Related Equipment, Over 30 mm.	2087	Miscellaneous flavoring extracts and flavoring sirups and compounds except chocolate syrups.
0134	Dry ripe vegetable seeds, etc. (except artificially dried).	192	Ammunition, Except for Small Arms (over 30 mm.).	209	Miscellaneous Food Preparations and Kindred Products.
01341	Beans, dry ripe.	193	Full Tracked Combat Vehicles and Parts.	20911	Cottonseed oil, crude or refined.
01342	Peas, dry.	194	Sighting and Fire Control Equipment.	20914	Cottonseed cake, meal and other by-products.
0139	Miscellaneous fresh vegetables:	195	Small Arms, 30 mm. and Under.	20921	Soybean oil, crude or refined.
01392	Watermelons.	196	Small Arms Ammunition, 30 mm. and Under.	20923	Soybean cake, meal, flour, grits, and other by-products.
01394	Tomatoes.	20	FOOD AND KINDRED PRODUCTS.	2093	Vegetable and nut oils and by-products, except cottonseed and soybean.
01398	Melons, except watermelons (cantaloupes, muskmelons, etc.).	201	Meat (Including Poultry and Small Game): Fresh, Chilled, or Frozen.	2094	Marine fats and oils.
014	Livestock and Livestock Products.	2011	Meat, fresh or chilled, except salted.	2095	Roasted coffee, including instant coffee.
0141	Livestock.	2012	Meat, fresh-frozen.	2096	Shortening, table oils, margarine and other edible fats and oils, n.e.c.
01411	Cattle.	2013	Meat products.	2097	Ice, natural or manufactured.
01413	Hogs and pigs.	2014	Animal by-products, inedible.	2098	Macaroni, spaghetti, vermicelli, and noodles.
01414	Sheep and lambs.	20141	Hides, skins and pelts, not tanned (cattle, pig, goat, sheep, mule, and horse).	21	TOBACCO PRODUCTS:
0142	Dairy farm products, except pasteurized.	2015	Dressed poultry, small game, and related products, fresh, chilled or canned.	211	Cigarettes.
0143	Animal fibers.	2016	Dressed poultry, small game and related products, fresh-frozen.	212	Cigars.
01431	Wool.	202	Dairy Products.	213	Chewing and Smoking Tobacco and Snuff.
015	Poultry and Poultry Products.	2021	Creamery butter.	214	Stemmed and Redried Tobacco.
0151	Live poultry.	2023	Condensed, evaporated milk and dry milk.	22	BASIC TEXTILES:
0152	Poultry eggs.	2024	Ice cream and related frozen desserts.	221	Cotton Broad Woven Fabrics.
019	Miscellaneous Farm Products.	2025	Cheese and other special dairy products.	222	Man-made Fiber and Silk Broad Woven Fabrics.
0191	Horticultural specialties.	2026	Processed whole milk, skim milk, cream and other fluid products.	223	Wool Broad Woven Fabrics.
0192	Animal specialties.	203	Canned and Preserved Fruits, Vegetables and Sea Foods.	224	Narrow Fabrics.
08	FOREST PRODUCTS.	2031	Canned and cured sea foods.	225	Knit Fabrics.
084	Gums and Barks, Crude.	2032	Canned specialties.	227	Carpets and Rugs, Textile.
08423	Latex and allied gums (crude natural rubber).	2033	Canned fruits and vegetables.	228	Yarn and Thread.
086	Miscellaneous Forest Products.	2034	Dried and dehydrated fruits and vegetables (except field dried) and soup mix.	229	Miscellaneous Basic Textiles.
09	FRESH FISH AND OTHER MARINE PRODUCTS.	2035	Pickled fruits and vegetables; sauces and seasoning; salad dressing.	2296	Tire cord and fabrics.
091	Fresh Fish and Other Marine Products.	2036	Fresh or frozen packaged fish.	2297	Wool and mohair (scoured, combed, carbonized): Tops, noils, nubs, slubs and grease.
0912	Fresh fish and whale products, including frozen unpackaged fish.	2037	Frozen fruits, fruit juices, vegetables and specialties.	2298	Cordage and twine.
09131	Shells (oyster, crab, clam, etc.).	204	Grain Mill Products.	23	APPAREL AND OTHER FINISHED TEXTILE PRODUCTS INCLUDING KNT.
10	METALLIC ORES.	2041	Flour and other grain mill products.	231	Men's, Youths', and Boys' Clothing.
101	Iron Ores.	20411	Wheat flour, except blended and prepared.	233	Women's, Misses', Girls' and Infants' Clothing.
10112	Beneficiating-grade ore, crude.			235	Millinery, Hats and Caps.
102	Copper Ores.			237	Fur Goods.
103	Lead and Zinc Ores.			238	Miscellaneous Apparel and Accessories.
1031	Lead ores.				
1032	Zinc ores.				
104	Gold and Silver Ores.				
105	Bauxite and Other Aluminum Ores.				
106	Manganese Ores.				
107	Tungsten Ores.				
108	Chromium Ores.				
109	Miscellaneous Metal Ores.				
11	COAL.				
111	Anthracite Coal.				
11111	Raw anthracite (lump).				
11112	Cleaned or prepared anthracite (crushed, screened, or sized).				
112	Bituminous Coal and Lignite.				
1121	Bituminous coal.				

Code	Description	Code	Description	Code	Description
239	Miscellaneous Fabricated Textile Products.	284	Soap, Detergents, and Cleaning Preparations, Perfumes, Cosmetics and Other Toilet Preparations.	33119	Coke oven and blast furnace products, n.e.c.
24	LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE.	2841	Soap and other detergents, except specialty cleansers.	3312	Primary iron and steel products, except coke oven by-products.
241	Primary Forest Products (Pulpwood, Piling, Posts, Logs, Bolts, etc.).	285	Paints, Varnishes, Lacquers, Enamels, and Allied Products.	33121	Steel ingot and semi-finished shapes.
24114	Pulpwood logs.	286	Gum and Wood Chemicals.	3313	Ferro-alloys.
24115	Pulpwood chips.	287	Agricultural Chemicals.	3315	Steel wire, nails, and spikes.
24116	Woodposts, poles and piling.	2871	Fertilizers.	332	Iron and Steel Castings.
242	Lumber and Dimension Stock:	289	Miscellaneous Chemical Products.	33211	Iron and steel cast pipe and fittings.
2421	Lumber and dimension stock:	2892	Explosives.	333	Nonferrous Metals Primary Smelter Products (Slab, Ingot, Pig, etc., and Residues).
24212	Sawed ties (railroads, mine, etc.).	28991	Salt.	3331	Primary copper and copper base alloys smelter products.
2429	Miscellaneous sawmill and planing mill products (shingles, cooperage stock, etc.).	29	PETROLEUM AND COAL PRODUCTS.	3332	Primary lead and lead base alloys smelter products.
243	Millwork, Veneer, Plywood, Prefabricated Structural Wood Products.	291	Products of Petroleum Refining.	3333	Primary zinc and zinc base alloys smelter products.
2431	Millwood.	29111	Gasoline, jet fuels and other high volatile petroleum fuels, except natural gasoline.	3334	Primary aluminum and aluminum base alloys smelter products.
2432	Veneer and plywood.	29112	Kerosene, distillate fuel oil, residual fuel oil and other low volatile petroleum fuels.	335	Nonferrous Metal Basic Shapes.
244	Wooden Containers.	29114	Lubricating and similar oils and derivatives.	3351	Copper, brass or bronze and other copper base alloy basic shapes.
249	Miscellaneous Wood Products.	29115	Lubricating greases.	3352	Aluminum and aluminum base alloy basic shapes except aluminum foil.
2491	Cresoted or oil treated wood products.	29116	Asphalt, tar and pitches (petroleum, cokeoven, coal tar).	3357	Nonferrous wire, including insulated wire.
25	FURNITURE AND FIXTURES	29119	Products of petroleum refining, n.e.c.	336	Nonferrous and Nonferrous Base Alloy Castings.
251	Household and Office Furniture.	2912	Liquefied petroleum gases and coal gases.	3361	Aluminum and aluminum base alloy castings.
253	Public Building and Related Furniture.	295	Paving and Roofing Materials.	3362	Brass, bronze, copper, and copper base alloy castings.
254	Partitions, Shelving, Lockers, Office, and Store Fixtures.	2951	Paving mixtures and blocks.	339	Miscellaneous Primary Metal Products.
259	Miscellaneous Furniture and Fixtures.	2952	Asphalt felt and coatings.	3391	Iron and steel forgings.
26	PULP, PAPER AND ALLIED PRODUCTS	299	Miscellaneous Petroleum and Coal Products.	3392	Nonferrous forgings.
261	Pulp and pulp mill products.	29911	Coke and coal briquettes.	34	FABRICATED METAL PRODUCTS, EXCEPT ORDNANCE, MACHINERY, AND TRANSPORTATION EQUIPMENT.
26111	Pulp.	30	RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS.	341	Metal Cans.
262	Paper, except building paper.	301	Tires and Inner Tubes.	342	Cutlery, Hand Tools, and General Hardware.
26211	Newsprint.	302	Rubber Footwear.	343	Plumbing Fixtures and Heating Apparatus, Except Electric.
26216	Coarse paper, including wrapping paper.	303	Reclaimed Rubber.	3433	Heating equipment, except electric.
263	Paperboard, pulpboard and fiberboard, except insulating board.	306	Miscellaneous Fabricated Rubber Products.	344	Fabricated structural metal products.
264	Converted paper and paperboard products, except containers and boxes.	307	Miscellaneous Plastics Products.	3441	Fabricated structural metal products.
2643	Paper bags.	31	LEATHER AND LEATHER PRODUCTS.	345	Bolts, Nuts, Screws, Rivets, Washers, and Other Industrial Fasteners.
265	Containers and boxes, paperboard, fiberboard and pulpboard.	311	Leather.	346	Metal Stampings.
266	Building paper and building board.	312	Industrial Leather Belting and Packing.	348	Miscellaneous Fabricated Wire Products.
2661	Building paper and building board.	313	Boot and Shoe Cut Stock and Findings, All Materials.	349	Miscellaneous Fabricated Metal Products.
26613	Wallboard.	314	Footwear, Except Rubber.	3491	Metal barrels, drums, kegs, and pails.
27	PRINTED MATTER.	315	Leather Gloves and Mittens.	3494	Valves and pipe fittings (except plumbers' brass goods and fittings), fabricated pipe and fabricated pipe fittings.
271	Newspapers.	316	Luggage, Handbags, and Other Personal Leather Goods (all materials).	35	MACHINERY, EXCEPT ELECTRICAL.
272	Periodicals.	319	Miscellaneous Leather Goods.	351	Engines and Turbines.
273	Books.	32	STONE, CLAY AND GLASS PRODUCTS.	352	Farm Machinery and Equipment.
274	Miscellaneous Printed Matter.	321	Flat Glass.	353	Construction, Mining and Materials Handling Equipment.
276	Manifold Business Forms.	322	Glass and Glassware, Pressed and Blown.	3531	Construction machinery and equipment.
277	Greeting Cards, Seals, Labels, And Tags.	3221	Glass containers.	3532	Mining machinery and equipment, except oil field machinery and equipment.
278	Blankbooks, Looseleaf Binders and Devices.	324	Hydraulic Cement.	3533	Oil field machinery and equipment.
279	Products of Service Industries for the Printing Trades.	32411	Cement, hydraulic; Portland, natural, masonry, puzzolan.	3537	Industrial trucks, tractors, trailers, and stackers.
28	CHEMICAL AND ALLIED PRODUCTS	325	Structural Clay Products.	354	Metalworking Machinery and Equipment.
281	Industrial Inorganic and Organic Chemicals.	3251	Brick and structural clay tile.	355	Special Industry Machinery, Except Metalworking Machinery.
2812	Sodium, potassium, and other basic inorganic chemical compounds and chlorine.	32511	Brick, except ceramic glazed and refractory brick.	356	General Industrial Machinery and Equipment.
28123	Sodium compounds, except sodium alkalies.	3253	Ceramic wall and floor tile.	357	Office, Computing, and Accounting Machines.
2813	Industrial gases (compressed and liquefied).	3255	Refractories, clay and nonclay.	358	Service Industry Machines.
2814	Crude products from coal tar, petroleum and natural gas.	3259	Miscellaneous structural clay products.	359	Miscellaneous Machinery and Parts, Except Electrical.
2816	Inorganic pigments.	32594	Roofing tile.		
2818	Miscellaneous industrial organic chemicals.	326	Pottery and Related Products.		
28184	Alcohols.	327	Concrete, Gypsum, and Plaster Products.		
2819	Miscellaneous industrial inorganic chemicals.	3271	Concrete products.		
28193	Sulphuric acid.	3274	Lime.		
282	Plastics Materials and Synthetic Resins, Synthetic Rubbers and Fibers.	3275	Gypsum products.		
28212	Synthetic rubber.	328	Cut Stone and Stone Products.		
28213	Synthetic organic fibers.	329	Abrasives, Asbestos, and Miscellaneous Nonmetallic Mineral Products.		
283	Drugs (Biological Products, Medicinal Chemicals, Botanical Products and Pharmaceutical Preparations).	3291	Abrasive products.		
		33	PRIMARY METAL PRODUCTS.		
		331	Steel Works and Rolling Mill Products.		
		33111	Pig iron.		
		33112	Slag.		
		33113	Coke, screenings and breeze.		

Code	Description	Code	Description
36	ELECTRICAL MACHINERY, EQUIPMENT AND SUPPLIES.	395	Pens, Pencils, and Other Office and Artists' Materials.
361	Electrical Transmission and Distribution Equipment.	396	Costume Jewelry, Novelties, Buttons, and Notions.
362	Electrical Industrial Apparatus.	398	Miscellaneous Manufactured Products—A.
363	Household Appliances.	399	Miscellaneous Manufactured Products—B.
3631	Household cooking equipment, all types.	40	WASTE AND SCRAP MATERIALS.
3632	Household refrigerators and home and farm freezers.	401	Ashes.
3633	Household laundry equipment.	402	Waste and Scrap, Except Ashes.
364	Electric Lighting and Wiring Equipment.	4021	Metal scrap, waste and tallings.
365	Radio and TV Receiving Sets, Except Communication Types.	40211	Iron and steel scrap, wastes and tallings.
366	Communication Equipment.	4022	Textile waste, scrap and sweepings.
367	Electronic Components and Accessories.	4024	Paper waste and scrap.
369	Miscellaneous Electrical Machinery, Equipment, and Supplies.	4026	Rubber and plastic scrap and waste.
37	TRANSPORTATION EQUIPMENT.	41	MISC. FREIGHT SHIPMENTS.
371	Motor Vehicles and Motor Vehicle Equipment.	411	Misc. Freight Shipments.
3711	Motor vehicles.	41111	Outfits or kits.
37111	Passenger cars, assembled.	41114	Articles, used exc. for repair, reconditioning see 4115, returned empty see 421, remelting see 4034.
37112	Truck tractors, and trucks, assembled.	41115	Articles, used, returned for repair, incl. for reconditioning.
37113	Motor coaches, assembled (including trolley busses) and fire department vehicles.	412	Miscellaneous Commodities Not Taken in Regular Freight Service.
3712	Passenger car bodies and body parts.	42	CONTAINERS, SHIPPING, RETURNED EMPTY.
3713	Truck and bus bodies and body parts.	421	Containers, Shipping, Returned Empty Inc. Carriers or Devices.
3714	Motor vehicle parts and accessories.	422	Trailers, Semi-Trailers, Returned Empty.
3715	Truck trailers.	43	SMALL PACKAGED FREIGHT SHIPMENTS.
372	Aircraft and Parts.	431	Small Packaged Freight Shipments, Inc. LCL or LTL.
373	Ships and Boats.	44	FREIGHT FORWARDER TRAFFIC.
374	Railroad Equipment.	441	Freight Forwarder Traffic, Carload or Truckload.
375	Motorcycles, Bicycles, and Parts.	45	SHIPPER ASSOCIATION OR SIMILAR TRAFFIC.
379	Miscellaneous Transportation Equipment.	451	Shipper Association or Similar Traffic, Carload or Truckload.
38	INSTRUMENTS, PHOTOGRAPHIC AND OPTICAL GOODS, WATCHES AND CLOCKS.	46	MISCELLANEOUS MIXED SHIPMENTS EXC. FORWARDER SEE 44 SHIPPER ASSOCIATION SEE 45.
381	Engineering, Laboratory, and Scientific Instruments.	461	All Freight Rate Shipments, N.E.C., Inc. TOFC.
382	Measuring, Controlling, and Indicating Instruments.	462	Mixed Shipments on One Factor Rates Cnstrg. of Commodities Representing Two or More Major Industry Groups Where it is Impossible to Determine the Predominant Industry.
383	Optical Instruments and Lenses.		(Sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12, sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304, sec. 304, 54 Stat. 933; 49 U.S.C. 904. Interpret or apply sec. 20, 24 Stat. 386, as amended; 49 U.S.C. 20, sec. 220, 49 Stat. 563, as amended; 49 U.S.C. 320, sec. 313, 54 Stat. 944, as amended; 49 U.S.C. 913)
384	Surgical, Medical, and Dental Instruments and Supplies.		
385	Ophthalmic or Opticians' Goods.		
386	Photographic Equipment and Supplies.		
387	Watches, Clocks, Clockwork Operated Devices, and Parts.		
39	MISCELLANEOUS PRODUCTS OF MANUFACTURING.		
391	Jewelry, Silverware, and Plated Ware.		
393	Musical Instruments and Parts.		
394	Toys, Amusement, Sporting and Athletic Goods.		
3949	Sporting and athletic goods.		

It is ordered, That the order of September 19, 1957, in Ex Parte No. 205, Motor Carrier Freight Commodity Statistics be modified and amended, as to traffic for the year beginning January 1, 1964, and until further order, so as to substitute for § 206.1 of Appendix A to such order, the ordering § 206.1 set out below, and to vacate and set aside § 206.8 thereof;

It is further ordered, That, § 206.1 be modified and amended to read as follows, and that § 206.8 be deleted:

§ 206.1 Freight commodity statistics.

Commencing with reports for the year beginning January 1, 1964, and thereafter until further order, all Class I common and contract motor carriers of property, as defined in § 182.01-1 of this chapter, subject to Part II of the Interstate Commerce Act, and not hereinafter specifically exempted from the requirements of this part, shall compile and report annually certain freight traffic statistics according to the 3, 4, and 5-digit commodity codes named in § 123.52 of this chapter, and in conformity with formal instructions included in the appropriate report forms hereinafter prescribed.

§ 206.8 Standard commodity code. [Deletion]

(Sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304. Interpret or apply sec. 220, 49 Stat. 563, as amended; 49 U.S.C. 320)

And it is further ordered, That a copy of this order shall be served upon or mailed to each railroad, electric railway, water carrier, maritime carrier, and motor carrier, subject to the commodity statistics reporting requirements of Parts 123, 206, or 301, as the case might be, and that notice shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-10489; Filed, Oct. 3, 1963; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 17]

BAKERY PRODUCTS; BREAD

Notice of Proposal To Amend Definition and Standard of Identity

Notice is given that a petition has been filed by National Dairy Products Corporation, 801 Waukegan Road, Glenview, Illinois, proposing amendment of the standard of identity for bread (21 CFR 17.1) to make succinylated monoglycerides, in an amount not to exceed 0.5 part for each 100 parts of flour used, an optional ingredient of bread. Grounds set out in the petition to support the amendment requested are that the use of succinylated monoglycerides, when used as proposed, will improve the volume, grain, texture, and softness of the loaves. The proposed amendment is to add to § 17.1 (a) a new subparagraph (17), as follows:

§ 17.1 Bread, white bread, and rolls, white rolls, or buns, white buns; identity; label statement of optional ingredients.

(a) * * *

(17) Succinylated monoglycerides, in a quantity not to exceed 0.5 part for each 100 parts by weight of flour used.

Because of cross-references, adoption of the proposed amendment to the basic standard for bread (§ 17.1) would have the effect of making succinylated monoglycerides a permitted ingredient of enriched bread, milk bread, raisin bread, and whole wheat bread (§§ 17.2 to 17.5, inclusive).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), all interested persons are invited to submit their views in writing regarding the proposal published herein. Such views and comments should be submitted, preferably, in quintuplicate, addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., within 30 days following the date of publication of this notice in the FEDERAL REGISTER.

Dated: September 27, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63-10550; Filed, Oct. 3, 1963;
8:48 a.m.]

No. 194—3

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 62-WE-131]

CONTROL ZONES, CONTROL AREA EXTENSIONS AND TRANSITION AREAS

Proposed Alteration, Designation and Revocation

In consonance with ICAO International Standards and Recommended Practices, notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations. This proposal relates to navigable airspace both within and outside the United States.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (IACO), which pertains to the establishment of air navigation facilities and services necessary to promoting safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state the U.S. agreed by Article 3(d) that its state aircraft will be operating in international airspace with due regard for the safety of civil aircraft.

Since this action involves in part the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The following controlled airspace is presently designated in the San Diego, Calif., terminal area.

1. The San Diego (Lindbergh Field-NAS North Island) control zone is desig-

nated within a 5-mile radius of Lindbergh Field; within a 5-mile radius of the NAS North Island TACAN; within 2 miles either side of the Lindbergh Field VOR 287° True radial extending from the 5-mile radius zone to 10 miles northwest of the VOR; and within 2 miles either side of the NAS North Island TACAN 120°, 185° and 235° True radials extending from the 5-mile radius zone to 6 miles southeast, south and southwest of the TACAN, excluding the portion of the Lindbergh Field 5-mile radius zone north of latitude 32°47'00" N. and the portion within W-593.

2. The NAAS Ream Field, Calif., control zone is designated within a 3-mile radius of NAAS Ream Field, and the airspace west of Ream Field within the arc of a 6-mile radius circle centered on the Ream Field TACAN extending counterclockwise from a line 2 miles north of and parallel to the Ream Field TACAN 288° True radial to the United States/Mexican Flight Information Region boundary, excluding the portion within the San Diego, Calif., control zone, and the portion under the jurisdiction of Mexico.

3. The San Diego control area extension is designated within a 21-mile radius of the San Diego VOR extending counterclockwise from the San Diego VOR 251° True radial to the boundary of the Miramar, Calif., control area extension; within 5 miles either side of the San Diego VOR 251° True radial extending from the VOR to 28 miles southwest, and within 5 miles either side of the Lindbergh Field, San Diego, Calif., VOR 287° True radial extending from the VOR to 28 miles northwest, excluding the portion under the jurisdiction of Mexico and which coincides with W-536.

4. The Miramar, Calif., control area extension is designated as that airspace east of Miramar bounded on the north by V-208, on the east by longitude 116°05'00" W., on the south by the United States/Mexican Border, and on the west by the Oceanside, Calif., VORTAC 160° True radial.

5. The portion of the Riverside, Calif., control area extension south of March AFB, Riverside, Calif., bounded on the east by V-117, on the south and southeast by V-208, on the west by V-23 and on the north by latitude 33°30'00" N.

6. The portion of the Los Angeles, Calif., control area extension south of Los Angeles bounded by a line beginning at latitude 33°30'00" N., longitude 118°45'00" W., to latitude 33°28'30" N., longitude 118°40'00" W., to latitude 33°28'30" N., longitude 118°37'00" W., to latitude 33°24'35" N., longitude 118°37'00" W., to latitude 33°18'00" N., longitude 118°28'00" W., to latitude 33°12'30" N., longitude 117°47'00" W., to latitude 33°10'00" N., longitude 117°45'00" W., thence along latitude 33°10'00" N., to the United States coastline, thence north along the United States coastline to latitude 33°30'00" N., thence west along

latitude 33°30'00" N. to the point of beginning.

7. The portion of Control Area 1177 southwest of Los Angeles bounded by a line beginning at latitude 33°25'50" N., longitude 118°28'50" W., thence to latitude 33°19'00" N., longitude 118°21'45" W., thence to latitude 33°16'30" N., longitude 118°25'00" W., thence to latitude 33°18'00" N., longitude 118°34'00" W., thence to latitude 33°21'15" N., longitude 118°34'00" W., thence to point of beginning.

To implement the provisions of CAR Amendment 60-21/60-29 in the San Diego terminal area, the Federal Aviation Agency is considering the following airspace actions:

1. Alter the San Diego (Lindbergh Field) control zone by redesignating it to comprise that airspace within a 5-mile radius of Lindbergh Field, San Diego, Calif. (latitude 32°43'58" N., longitude 117°11'14" W.); within 2 miles either side of the Lindbergh VOR 106° True radial extending from the 5-mile radius zone to 7 miles east of the VOR, excluding the portion south of a line extending from latitude 32°43'22" N., longitude 117°16'20" W. to latitude 32°43'22" N., longitude 117°12'23" W., to latitude 32°41'02" N., longitude 117°07'25" W.; and the portion north of latitude 32°47'00" N.

2. Designate the San Diego (NAS North Island) control zone to comprise that airspace within a 5-mile radius of NAS North Island (latitude 32°42'00" N., longitude 117°12'35" W.); within the arc of a 10-mile radius circle centered on the North Island TACAN extending clockwise from a line 2 miles north of and parallel to the TACAN 120° True radial to the 162° True radial, excluding the portion north of a line from latitude 32°43'22" N., longitude 117°17'20" W., to latitude 32°43'22" N., longitude 117°12'23" W., to latitude 32°41'02" N., longitude 117°07'25" W. and the portion within the NAS Ream Field, Calif., control zone.

3. Alter the NAS Ream control zone by redesignating it to comprise that airspace within a 3-mile radius of NAAS Ream Field (latitude 32°34'00" N., longitude 117°06'50" W.), and that airspace west of Ream Field within the arc of a 6-mile radius circle centered on Ream TACAN extending counterclockwise from a line 2 miles north of and parallel to the Ream TACAN 288° True radial to the United States/Mexican Flight Information Region boundary, excluding the portion under the jurisdiction of Mexico.

4. Revoke the San Diego control area extension and designate the San Diego transition area to comprise that airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 33°15'00" N., longitude 117°30'30" W., to latitude 33°15'00" N., longitude 117°17'00" W., to latitude 33°00'00" N., longitude 117°07'00" W., to latitude 33°00'00" N., longitude 116°51'00" W., thence south along longitude 116°51'00" W. to the United States/Mexican Border, thence west along the United States/Mexican Border and Flight Information Region Boundary to latitude

32°29'40" N., longitude 117°21'00" W., thence via the arc of a 21-mile radius circle centered on the San Diego VOR to latitude 32°33'00" N., longitude 117°27'30" W., thence north to the point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 33°30'00" N., longitude 117°30'00" W., thence to latitude 33°30'00" N., longitude 116°18'00" W., thence to latitude 33°00'00" N., longitude 116°18'00" W., thence to latitude 33°00'00" N., longitude 116°05'00" W., thence south via longitude 116°05'00" W., to the United States/Mexican Border, thence west via the United States/Mexican Border and Flight Information Region boundary to latitude 32°29'40" N., longitude 117°21'00" W., thence via the arc of a 21-mile radius circle centered on the San Diego VOR to latitude 32°37'15" N., longitude 117°31'50" W., thence to latitude 32°34'45" N., longitude 117°39'00" W., thence to latitude 32°49'30" N., longitude 117°45'15" W., thence to latitude 32°57'40" N., longitude 117°35'00" W., thence to latitude 33°11'00" N., longitude 117°48'55" W., thence to latitude 33°15'00" N., longitude 117°30'00" W., thence north via longitude 117°30'00" W., to the point of beginning, excluding the portion within W-536. The portion of this transition area within R-2503 would be used only after obtaining prior approval from appropriate authority.

5. Designate the Santa Catalina, Calif., transition area to comprise that airspace extending upward from 1,200 feet above the surface bounded on the east by longitude 117°30'00" W., on the south by a line extending from latitude 33°15'00" N., longitude 117°30'00" W., to latitude 33°11'00" N., longitude 117°48'55" W., to latitude 33°18'00" N., longitude 118°34'00" W., on the west by longitude 118°34'00" W., and on the north by latitude 33°30'00" N., excluding the portion within Control Area 1177. The portion of this transition area within R-2503 would be used only after obtaining prior approval from appropriate authority.

The revocation of the Los Angeles and Riverside control area extensions which currently coincide, in part, with the transition areas proposed for designation herein will be processed at a later date under the CAR Amendments 60-21/60-29 implementation program proposed for the Los Angeles and Riverside terminal areas. The portion within Control Area 1177 would be excluded.

The floor of the portions of the Los Angeles and Riverside control area extensions and the floors of the airways which traverse the transition areas proposed herein would automatically coincide with the floors proposed for the transition areas.

As presently designated, the operations for Lindbergh Field and NAS North Island are governed by weather observations reported for Lindbergh Field. Since weather, communications and control tower services are available at both airports, it is deemed advisable to propose the designation of separate control zones to obtain maximum operational capabilities at Lindbergh and NAS North

Island. In addition, the control zone extensions west of Lindbergh Field and southwest and south of NAS North Island would be eliminated, while the extensions east of the airports would be extended to provide protection for aircraft executing prescribed instrument approach and departure procedures at Lindbergh Field and NAS North Island. The designation of the portion of the San Diego transition area proposed with a floor of 700 feet above the surface would provide protection for aircraft executing prescribed instrument approach, departure and radar vectoring procedures while operating below 1,500 feet above the surface within the San Diego terminal area. These procedures include extensive helicopter operations at low altitudes in the western portion of the proposed 700-foot floor area, and between the various airports in the San Diego terminal area. The 700-foot floor area east of the airports in the terminal area would encompass radar vectoring procedures required below 1,500 feet above the surface because of sharply rising terrain.

In addition, the portion of the San Diego transition areas with a floor of 1,200 feet and the revocation of the San Diego and Miramar control area extensions would raise the floor of controlled airspace beyond the limits of the proposed irregularly-configured 700-foot transition area from 700 to 1,200 feet. The portions of controlled airspace released by these actions are no longer required for air traffic control purposes. That airspace northwest of San Diego, which is presently designated as part of the Los Angeles and Riverside control area extensions, is proposed herein for designation as the Santa Catalina transition area. This transition area would provide protection for aircraft when required to execute prescribed instrument holding pattern procedures at the Santa Catalina VOR, the Avalon Intersection (intersection of the Santa Catalina VOR 099° and the Long Beach VORTAC 200° True radials), and the Pacific Intersection (intersection of the Oceanside, Calif., VORTAC 279° and the San Diego VOR 319° True radials), while in transition to and from the Los Angeles, Long Beach, and San Diego terminal areas.

Since the designation of controlled airspace proposed herein overlies a portion of Warning Area W-291, alteration of this warning area is required. Therefore, the Federal Aviation Agency is including the proposed non-rulemaking action to alter this warning area. This would expedite the proposed rulemaking action and thus permit utilization of the holding, approach and departure procedures at the earliest possible date. Warning Area W-291 would be altered to exclude those portions within the Santa Catalina, and San Diego, Calif., transition areas.

Certain minor revisions to the prescribed instrument approach procedure would accompany the action proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be ad-

versely affected. Specific details relating to these changes may be examined by contacting the Chief, Air Traffic Branch, Federal Aviation Agency, Western Region Area Office, P.O. Box 45018, Los Angeles, Calif., 90045.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Branch, Federal Aviation Agency, Western Region Area Office, P.O. Box 45018, Los Angeles, Calif., 90045. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal docket will also be available for

examination at the office of the Regional Air Traffic Division Chief.

(Secs. 307(a), 1110, 72 Stat. 749, 800; 49 U.S.C. 1348, 1510, E.O. 10854, 24 F.R. 9565)

Issued in Washington, D.C., on September 27, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-10525; Filed, Oct. 3, 1963;
8:45 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 1991]

SUD AVIATION

Proposed Airworthiness Directives

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the Regulations of the Administrator to include an airworthiness directive for Sud Aviation SE-210 Caravelle I, III, and VIR aircraft. There have been several instances of engine flameout and engine damage, which have occurred when taking off or landing on flooded or slush covered runways. In order to correct this condition, this AD requires the installation of flanged nose wheel tires.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation

Agency, Office of the General Counsel: Attention Rules Docket, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before November 5, 1963, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

SUD AVIATION: Applies to all Model SE-210 Caravelle I, III and VIR aircraft.

Compliance required within 30 days after the effective date of this AD.

To prevent engine flameout or engine damage from the bow wave caused by the nose wheel on flooded or slush covered runways, install Kleber-Colombes NO82E22 or Dunlop 082E22 nose wheel tires, with water deflectors, or FAA approved equivalents.

Issued in Washington, D.C., on September 27, 1963.

G. S. MOORE,
Director,
Flight Standards Service.

[F.R. Doc. 63-10524; Filed, Oct. 3, 1963;
8:45 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of Alien Property

JAN KADLEC AND LUDMILA
VATRASOVA-KADLECOVA

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses, and also subject to the provisions of Treasury Circular No. 655, as amended, 31 CFR 211.3 and of Executive Order No. 8389, as amended, 5 F.R. 1400, 6 F.R. 2897.

Claimants, Property, Location, and Claim No.

Jan Kadlec, U Pergamentky 8, Prague 7—Holesovice, Czechoslovakia, \$1,019.64 in the Treasury of the United States; Ludmila Vatrassova-Kadlecova, Nad Ostravici 1358/8, Ostrava 5, Czechoslovakia, \$1,019.63 in the Treasury of the United States; Claim No. 63311; Vesting Order No. 9068.

Executed at Washington, D.C., on September 28, 1963.

For the Attorney General.

[SEAL] ANTHONY L. MONDELLO,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 63-10542; Filed, Oct. 3, 1963;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

FLORIDA

Notice of Proposed Withdrawal and Reservation of Land

SEPTEMBER 30, 1963.

The United States Department of Agriculture, Forest Service, has filed application BLM 072066 for the withdrawal of public domain lands, described below, from mineral entry under the United States General Mining Laws, subject to valid existing rights.

The applicant requests the withdrawal be made to assure the public of continued availability and to adequately protect the Government's investment in the facilities placed and to be placed on these areas.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management,

Department of the Interior, Washington, D.C., 20240.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record. The lands involved in the withdrawal are as follows:

TALLAHASSEE MERIDIAN, FLORIDA

LAKE DELANCY RECREATION AREA

T. 12 S., R. 25 E.,
Sec. 22, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$.
Total area 633.87 acres.

CHITTY POINT CAMPGROUND

T. 12 S., R. 25 E.,
Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 120.52 acres.

GRASSY POND CAMPGROUND ADDITION

T. 13 S., R. 25 E.,
Sec. 8, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
Total area 120.38 acres.

PLANTATION LANDING CAMPGROUND

T. 13 S., R. 26 E.,
Sec. 11, lot 1.
Total area 40.76 acres.

MASON BAY CAMPGROUND

T. 14 S., R. 24 E.,
Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$, except a strip of land 400 feet on each side of the center line of Florida Highway No. 314 which was withdrawn by PLO 1535, dated October 24, 1957.
Total area 80.06

EAST LAKE ETON CAMPGROUND

T. 14 S., R. 24 E.,
Sec. 14, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
Total area 40.09 acres.

LAKE LOU PICNIC SITE

T. 14 S., R. 24 E.,
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$.
Total area 80.00 acres.

HOPKINS PRAIRIE CAMPGROUND ADDITION

T. 14 S., R. 26 E.,
Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 80.30 acres.

JUNIPER PRAIRIE CAMPGROUND

T. 14 S., R. 26 E.,
Sec. 33, lots 2 and 3.
Total area 150.03 acres.

ZAY PRAIRIE PICNIC SITE

T. 15 S., R. 25 E.,
Sec. 5, lots 3 and 4.
Total area 81.92 acres.

TURKEY PEN HAMMOCK CAMPGROUND

T. 15 S., R. 25 E.,
Sec. 6, lots 2 and 3.
Total area 83.39 acres.

DEER LAKE CAMPGROUND ADDITION

T. 15 S., R. 25 E.,
Sec. 7, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 320.20 acres.

MILL DAM PICNIC SITE ADDITION

T. 15 S., R. 25 E.,
Sec. 17, lot 1, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 18, lot 1;
Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.
Total area 192.46 acres.

HALFMOON CAMPGROUND

T. 15 S., R. 25 E.,
Sec. 29, lot 1.
Total area 63.86 acres.

SOUTH HALFMOON CAMPGROUND

T. 15 S., R. 25 E.,
Sec. 32, lot 2.
Total area 39.70 acres.

WELLS POND CAMPGROUND

T. 15 S., R. 25 E.,
Sec. 32, lots 3 and 4.
Total area 102.60 acres.

JUNIPER SPRINGS RECREATION AREA ADDITION

T. 15 S., R. 26 E.,
Sec. 21, lot 1, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, except a strip of land 400 feet on each side of the center line of Florida Highway No. 40 which was withdrawn by PLO 1535, dated October 24, 1957.
Total area 113.20 acres.

GOBBLER LAKE PICNIC SITE

T. 15 S., R. 27 E.,
Sec. 29, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Total area 40.00 acres.

EIGHTBALL LAKE PICNIC SITE

T. 15 S., R. 27 E.,
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 160.00 acres.

WILDCAT LAKE PICNIC SITE

T. 15 S., R. 27 E.,
Sec. 30, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
Total area 60.00 acres.

CROOKED LAKE CAMPGROUND

T. 15 S., R. 27 E.,
Sec. 33, NW $\frac{1}{4}$.
Total area 160.00 acres.

GRASSHOPPER LAKES CAMPGROUND

T. 15 S., R. 27 E.,
Sec. 32, S $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 33, W $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 16 S., R. 27 E.,
Sec. 5, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
Total area 319.85 acres.

SQUAW POND CAMPGROUND

T. 16 S., R. 25 E.,
Sec. 22, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 120.67 acres.

LONG POND CAMPGROUND

T. 16 S., R. 25 E.,
Sec. 27, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Total area 280.38 acres.

TROUT POND PICNIC SITE

T. 16 S., R. 25 E.,
Sec. 32, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Total area 39.20 acres.

LAKE CATHERINE CAMPGROUND ADDITION

T. 16 S., R. 25 E.,
Sec. 32, N $\frac{1}{2}$ SW $\frac{1}{4}$.
Total area 78.41 acres.

FISH TRAP PRAIRIE CAMPGROUND

T. 16 S., R. 25 E.,
Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 79.48 acres.

YEARLING POND PICNIC SITE

T. 16 S., R. 26 E.,
Sec. 13, lot 4.
Total area 80.00 acres.

BUCK LAKE CAMPGROUND

T. 16 S., R. 26 E.,
Sec. 13, lots 7 and 8.
Total area 160.00 acres.

BUCKSHOT POND PICNIC SITE

T. 16 S., R. 26 E.,
Sec. 13, S $\frac{1}{2}$ lot 9;
Sec. 24, N $\frac{1}{2}$ lot 2.
Total area 80.00 acres.

FARLES PRAIRIE CAMPGROUND

T. 16 S., R. 26 E.,
Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.
Total area 40.04 acres.

TWIN POND CAMPGROUND

T. 16 S., R. 26 E.,
Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 80.15 acres.

NAMELESS SINK PICNIC SITE

T. 16 S., R. 26 E.,
Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.
Total area 40.22 acres.

BLUE SINK PICNIC SITE

T. 16 S., R. 26 E.,
Sec. 36, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.
Total area 40.00 acres.

BEAKMON LAKE PICNIC SITE

T. 16 S., R. 27 E.,
Sec. 5, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
Total area 39.92 acres.

BILLY'S BAY CAMPGROUND

T. 16 S., R. 27 E.,
Sec. 20, lots 2 and 3.
Total area 104.60 acres.

SWIM POND PICNIC SITE

T. 17 S., R. 25 E.,
Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
Total area 40.00 acres.

DOE POND CAMPGROUND

T. 17 S., R. 26 E.,
Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
Total area 40.14 acres.

LAKE EGRET PICNIC SITE

T. 17 S., R. 28 E.,
Sec. 2, S $\frac{1}{2}$ lot 7.
Total area 40.00 acres.

The areas described aggregate 4,466.40 acres.

DORIS A. KOIVULA,
Manager, Land Office.

[F.R. Doc. 63-10529; Filed, Oct. 3, 1963;
8:46 a.m.]

FLORIDA

Notice of Proposed Withdrawal and Reservation of Land

SEPTEMBER 30, 1963.

The United States Fish and Wildlife Service, Bureau of Sports Fisheries and Wildlife, Atlanta, Georgia, by letter dated September 13 filed application BLM 073083 (LAEO-Florida, Pelican Island) for withdrawal of the unsurveyed lands,

hereafter described, from all forms of appropriation under the public land laws, including the United States General Mining Laws but not the Mineral Leasing Act, subject to valid existing rights.

The applicant desires that the land be reserved as a part of the Pelican Island National Wildlife Refuge and managed under authority of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222, as amended; 16 U.S.C. 715).

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Washington, D.C., 20240.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the withdrawal are as follows:

TALLAHASSEE MERIDIAN, FLORIDA

T. 31 S., R. 39 E.,

Sec. 4, All unsurveyed lands and islands located west of the original meander line, except the small parcel contiguous to lot 1;

Sec. 5, All unsurveyed lands or islands, except spoil islands and lumps;

Sec. 8, All unsurveyed lands and islands lying east of the Intracoastal Waterway;

Sec. 15, All unsurveyed lands and islands lying west either of the original meander line or the shoreline of the outer barrier island, whichever is the most westerly;

Sec. 16, All unsurveyed lands and islands lying east of the Intracoastal Waterway;

Sec. 21, All unsurveyed lands and islands lying east of the Intracoastal Waterway;

Sec. 22, All lands and islands lying west of either the original meander line or the shoreline of the outer barrier island, whichever is the most westerly, except spoil islands and lumps;

Sec. 27, Unserved islands known as Wabasso Island and Michael Island.

The above-described lands and islands are estimated to encompass 613 acres.

DORIS A. KOIVULA,
Manager, Land Office.

[F.R. Doc. 63-10530; Filed, Oct. 3, 1963;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

CERTAIN STOCKYARDS AND SLAUGHTERING ESTABLISHMENTS

Notice of Specific Approval and of Withdrawal of Specific Approval

On September 19, 1962, February 1, 1963, March 19, 1963, April 26, 1963, May 28, 1963, July 11, 1963, July 26, 1963, and August 15, 1963, notices were published in the FEDERAL REGISTER (27 F.R. 9266; 28 F.R. 990, 2690, 4146, 5276, 7102, 7615, 8380), which contained lists of all stockyards and slaughtering establishments approved under §§ 78.14(b), 78.15(b), and 78.16(b) of the regulations in Part

78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of certain animals because of brucellosis, under the Acts of May 29, 1884, as amended, February 2, 1903, as amended, and March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 115, 117, 120, 121, 125).

I. Pursuant to such authority, notice is hereby given that the following additional stockyards and slaughtering establishments are specifically approved under said regulations as indicated below:

SPECIFICALLY APPROVED STOCKYARDS

The following additional stockyards preceded by an asterisk are specifically approved for the purposes of § 78.5, Title 9, Code of Federal Regulations, concerning brucellosis reactors and of paragraphs (b) and (c) of § 78.12 of said Title 9, concerning cattle not known to be affected with brucellosis. The following stockyards not preceded by an asterisk are specifically approved for the purposes of paragraphs (b) and (c) of § 78.12 only.

COLORADO

*Pueblo Livestock Auction Co., Pueblo.

IOWA

*Centerville Sales Co., Centerville.

KANSAS

*Iola Community Sale, Iola.

*Koenig Sales Co., Inc., Junction City.

*Pratt Livestock Commission Co., Pratt.

*Russell Livestock Comm. Co., Russell.

KENTUCKY

*Kentuckians Livestock Market, Inc., Owensboro.

MARYLAND

*Garrett County Livestock Sales, Inc., Accident.

NEBRASKA

*Klug Brothers Livestock Co., Columbus.

*National Co-op Association, Plattsmouth.

NORTH CAROLINA

Norwood Stockyard, Norwood.

NORTH DAKOTA

*Dobler Livestock Sales Co., Jamestown.

OKLAHOMA

*LeFlore County Livestock Auction, Wister.

*Tonkawa Livestock Auction, Tonkawa.

TEXAS

*Madison County Livestock Comm. Co., Madisonville.

VIRGINIA

*Alleghany County Livestock Market, Covington.

WISCONSIN

*Antigo Auction Sales, Antigo.

SPECIFICALLY APPROVED SLAUGHTERING ESTABLISHMENTS

The following additional slaughtering establishments preceded by an asterisk are specifically approved for the purposes of § 78.5 of Title 9, Code of Federal Regulations, concerning brucellosis reactors and of paragraphs (b) and (c) of § 78.12 of said Title 9, concerning cattle not known to be affected with brucellosis, and those not preceded by an asterisk are specifically approved for the purposes of paragraphs (b) and (c) of § 78.12 only.

ALABAMA

Barney's Pork House, Decatur.
Nelms & Son, Decatur.

IDAHO

Jensen Custom Packing Co., Rupert.
Mathews, Inc., Twin Falls.
*Mickelsen Pack, Blackfoot.

IOWA

Simerly Hardware Store and Locker, Hamburg.

MARYLAND

**Hahn Brothers, Inc., Westminster.
**Joska, Anthony, Baltimore.
Maurer & Miller Meats, Inc., Manchester.
**Myers, William F., Sons, Inc., Westminster.

MISSISSIPPI

Beard's Slaughter House, Waynesboro.

OHIO

Gibson Packing Co., Zanesville.

II. Notice is hereby given also that the following stockyards and slaughtering establishments have been deleted from the list of specifically approved stockyards and slaughtering establishments, respectively, as follows:

STOCKYARDS

COLORADO

Hess Livestock Commission Co., Pueblo.

KANSAS

Junction City Livestock Commission, Junction City.

MARYLAND

Friend, Blaine H., Stockyard, Inc., Accident.

NEBRASKA

Ericson Livestock Market, Ericson.
Plattsmouth Sale Barn, Plattsmouth.

NEW YORK

Empire Livestock Marketing Cooperative, Inc., West Winfield.

NORTH DAKOTA

Jamestown Livestock Sales Co., Jamestown.

OKLAHOMA

Tonkawa Sales Co., Tonkawa.

SOUTH DAKOTA

Stockmans Commission Co., Rapid City.

TEXAS

Heart of Texas Commission Co., Inc., Brady.
Meridian Livestock Commission Co., Meridian.

VIRGINIA

Covington Stockyards, Inc., Covington.

SLAUGHTERING ESTABLISHMENTS

IDAHO

Custom Packing Co., Twin Falls.
Jensen Packing Co., Rupert.
McKibbens Custom Butchering Establishment, Idaho Falls.
Moscow Meat Co., Moscow.
Peoples Market Plant, Pocatello.
Wallace Meat Co., Wallace.

ILLINOIS

Jones, Marshall E., Springfield.

MAINE

Hanson & Smith, St. Albans.

MARYLAND

Brewer's, H. W., Williamsport.
County Butchers, Inc., Granite.
Harden's Meat Market, Eckart Mines.
Howard County Meat Market, Ellicott City.

Miller, Charles, Manchester.
Nichols & Smith Meat Market, Federalsburg.
Thompson's Food Market, Maryland Line.

MISSISSIPPI

Sam's Slaughter House, Waynesboro.

NEW YORK

Kingston Beef Corp., Kingston.

Effective date. The foregoing notice shall become effective upon publication in the FEDERAL REGISTER.

Certain additional stockyards and slaughtering establishments have been added to the list of those heretofore specifically approved under the regulations in 9 CFR Part 78. It has been determined that the inspections and handling of livestock or carcasses or products thereof at such stockyards or establishments are adequate to effectuate the purposes of such regulations. Certain stockyards and slaughtering establishments have been removed from the list of those heretofore specifically approved under said regulations, because it has been determined that such stockyards and establishments no longer qualify for specific approval under the regulations. This action, therefore, imposes certain restrictions necessary to prevent the spread of brucellosis and relieves certain restrictions presently imposed. It should become effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved thereby. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to this action are

impracticable and, good cause is found for making this notice effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 1st day of October 1963.

E. E. SAULMON,
*Acting Director, Animal Disease
Eradication Division, Agricultural
Research Service.*

[F.R. Doc. 63-10557; Filed, Oct. 3, 1963;
8:48 a.m.]

IDENTIFICATION OF CARCASSES OF CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 181.1, the lists (28 F.R. 8422 and 9848) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The reference to swine with respect to Midland Empire Packing Company, Inc., establishment 339, to sheep with respect to Carter Packing Company, establishment 698, and to calves and swine with respect to National Meat Packers, Inc., establishment 917, is deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely.

Name of establishments	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Owens Country Sausage, Inc.	403					(*)	
Ross Packing Co.	645	(*)					
Theede Packing Co.	674	(*)					
Dana Packing Co.	706	(*)					
Acee's Meat Co., Inc.	809	(*)					
New establishments reporting total 5.							
The Cudahy Packing Co.	19E			(*)			
Kenton Packing Co.	36			(*)		(*)	
Joel E. Harrell & Sons, Inc.	162		(*)				
S. Adams Packing Co.	211		(*)				
Armour & Co.	238			(*)			
Fletcher Brothers of Georgia, Inc.	239					(*)	
Armour & Co.	509		(*)				
Wholesale Cooperative Meat Dealers Association.	541		(*)	(*)			
Animal Husbandry Department.	694			(*)			
Cadwell, Martin Meat Co.	773		(*)				
Siouxland Dressed Beef Co.	857F			(*)			
Species added total 13.							

Done at Washington, D.C., this 30th day of September 1963.

R. K. SOMERS,
*Acting Director, Meat Inspection
Division, Agricultural
Research Service.*

[F.R. Doc. 63-10535; Filed, Oct. 3, 1963;
8:47 a.m.]

TARIFF COMMISSION

LEAD AND ZINC

Report to the President

OCTOBER 1, 1963.

The U.S. Tariff Commission today submitted to the President a report,

under section 351(d) (1) of the Trade Expansion Act of 1962, on developments in the trade in lead and zinc. Following an escape-clause investigation by the Tariff Commission under section 7 of the Trade Agreements Extension Act of 1951, the President, by proclamation dated September 22, 1958, imposed import quotas on unmanufactured lead and zinc, effective October 1, 1958. Section 351(d) (1) of the Trade Expansion Act of 1962 provides that—

So long as any increase in, or imposition of, any duty or other import restriction pursuant to this section or pursuant to section 7 of the Trade Agreements Extension Act of 1951 remains in effect, the Tariff Commission shall keep under review developments with respect to the industry concerned, and shall

make annual reports to the President concerning such developments.

The report issued today presents statistical data and other information with respect to lead and zinc, with emphasis on developments that have occurred since the Commission reported to the President in October 1962 under Executive Order 10401.

Copies of the Commission's report (the release of which was authorized by the President) are available upon request as long as the limited supply lasts. Requests should be addressed to the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., 20436.

[SEAL]

DONN N. BENT,
Secretary.

[F.R. Doc. 63-10534; Filed, Oct. 3, 1963;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ARMOUR AND CO.

Notice of Filing of Petition Regarding Food Additive Bis(2-Hydroxyethyl) Alkyl(C₁₄-C₁₈)Amine

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 1145) has been filed by Armour and Company, Post Office Box 9222, Chicago 90, Illinois, proposing the issuance of a regulation to provide for the safe use of bis(2-hydroxyethyl) alkyl(C₁₄-C₁₈) amine as an antistatic agent at levels not to exceed 0.1 percent by weight of polyolefin food-contact films.

Dated: September 27, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63-10543; Filed, Oct. 3, 1963;
8:47 a.m.]

CHEMAGRO CORP.

Notice of Withdrawal of Petition Regarding Pesticide Chemical O,O-Dimethyl S-4-Oxo-1,2,3-Benzotriazin-3(4H)-Ylmethyl Phosphorodithioate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a (d) (1)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations, Chemagro Corporation, P.O. Box 4913, Kansas City 20, Missouri, has withdrawn its petition published in the FEDERAL REGISTER of March

2, 1963 (28 F.R. 2069), proposing an extension of the present tolerance of 2 parts per million for residues of the insecticide O,O-dimethyl S-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate in or on snap beans to beans (succulent and dried, except lima beans, blackeyed peas, and cowpeas).

The withdrawal of this petition is without prejudice to a future filing.

Dated: September 30, 1963.

ROBERT S. ROE,
Director, Bureau of
Biological and Physical Sciences.

[F.R. Doc. 63-10544; Filed, Oct. 3, 1963;
8:47 a.m.]

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
Penicillin+streptomycin.	90-300	-----	-----	For swine: 90-300 gm. of combination; not less than 15 gm. of penicillin+75 gm. of streptomycin nor more than 50 gm. of penicillin+250 gm. of streptomycin; as procaine penicillin and streptomycin sulfate.	Treatment of bacterial swine enteritis.

Dated: September 27, 1963.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 63-10546; Filed, Oct. 3, 1963; 8:47 a.m.]

ELANCO PRODUCTS CO., DIVISION OF ELI LILLY AND CO.

Notice of Filing of Petition Regarding Food Additives Tylosin, Streptomycin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 1151) has been filed by Elanco Products Company, a Division of Eli Lilly and Company, Indianapolis 6, Indiana, proposing the amendment of § 121.217 *Tylosin* to provide for the safe use of tylosin with streptomycin in swine feed, as follows:

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.1 Tylosin-----	10-100	-----	-----	As tylosin phosphate: 10-20 gm. per ton, 101 lb. to market weight; 20-40 gm. per ton, animal weight 41-100 lb.; 20-100 gm. per ton, animal weight up to 40 lb.	Growth promotion and feed efficiency.
1.2 Tylosin+streptomycin.	10-100	-----	-----	As tylosin phosphate plus streptomycin sulfate in combinations containing from 1 part tylosin with 3 parts streptomycin to 3 parts tylosin with 1 part streptomycin, as follows: 10-20 gm. per ton, 101 lb. to market weight; 20-40 gm. per ton, animal weight 41-100 lb.; 20-100 gm. per ton, animal weight up to 40 lb.	Do.

Dated: September 27, 1963.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 63-10545; Filed, Oct. 3, 1963; 8:47 a.m.]

NATIONAL DAIRY PRODUCTS CORP.

Notice of Filing of Petition Regarding Food Additive Succinylated Monoglycerides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 771) has been filed by National Dairy Products Corporation, 801 Waukegan Road, Glenview, Illinois, proposing

the issuance of a regulation to provide for the safe use of succinylated monoglycerides as an emulsifier in edible oils and fats and as a dough conditioner in bread.

Dated: September 27, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63-10547; Filed, Oct. 3, 1963;
8:47 a.m.]

NIAGARA CHEMICAL DIVISION, FMC CORP.

Notice of Withdrawal of Petition Regarding Pesticide Chemical Tetradifon

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations, Niagara Chemical Division, FMC Corporation, Middleport, New York, has withdrawn its petition published in the FEDERAL REGISTER of June 1, 1963 (28 F.R. 5442), proposing the establishment of tolerances for residues of the insecticide tetradifon (2,4,5,4'-tetrachlorodiphenyl sulfone) in or on cottonseed and certain beans.

The withdrawal of this petition is without prejudice to a future filing.

Dated: September 30, 1963.

ROBERT S. ROE,
Director, Bureau of
Biological and Physical Sciences.

[F.R. Doc. 63-10548; Filed, Oct. 3, 1963;
8:48 a.m.]

PENNSYLVANIA INDUSTRIAL CHEMICAL CORP.

Notice of Filing of Petition Regarding Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1211) has been filed by Pennsylvania Industrial Chemical Corporation, 120 State Street, Clairton, Pennsylvania, proposing the amendment of § 121.2526 *Resinous and polymeric coatings for paper and paperboard* to provide for the use of α -methylstyrene-vinyltoluene copolymers in food-contact coatings for paper and paperboard.

Dated: September 27, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63-10549; Filed, Oct. 3, 1963;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-113]

UNIVERSITY OF ARIZONA

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 5, set forth below, to Facility License No. R-52. The license authorizes The University of Arizona to operate its TRIGA type nuclear reactor, located in Tucson, Arizona. The amendment authorizes the licensee to perform experiments using high temperature tests assemblies in its TRIGA Mark I reactor,

as described in the licensee's application for license amendment dated July 22, 1963 and supplemental amendment dated August 10, 1963.

The Commission has found that:

(1) Operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(2) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(3) Prior public notice of proposed issuance of this amendment is not necessary in the public interest since the amendment does not involve consideration of safety factors significantly different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) a related hazards analysis prepared by the Test and Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the licensee's application for license amendment dated July 22, 1963 and supplemental amendment dated August 10, 1963, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room, or upon request, addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Bethesda, Md., this 26th day of September 1963.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor
Safety Branch, Division of Li-
censing and Regulation.

[License No. R-52; Amdt. 5]

License No. R-52, as amended, issued to The University of Arizona, is hereby amended in the following respects:

1. In addition to the activities previously authorized by the Commission in License No. R-52, as amended, The University of Arizona is authorized to perform experiments using high temperature test assemblies in its TRIGA Mark I reactor located on the campus in Tucson, Arizona, as described in its application for license amendment dated July 22, 1963 and supplemental amendment dated August 10, 1963.

Operation of the reactor shall be performed in accordance with the procedures and subject to the limitations contained in License

No. R-52, as amended, and in the application for license amendment dated July 22, 1963, and supplemental amendment thereto dated August 10, 1963.

This amendment is effective as of the date of issuance.

Date of issuance: September 26, 1963.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor
Safety Branch, Division of Li-
censing and Regulation.

[F.R. Doc. 63-10517; Filed, Oct. 3, 1963;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 13939 etc.]

BUSINESS AND ECONOMY FARES

Notice of Postponement of Hearing

Notice hereby is given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding, now assigned to be held October 8, 1963, is postponed until October 15, 1963, at 10:00 a.m. (eastern daylight time) in Room 725, Universal Building, 1825 Connecticut Avenue, Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., September 30, 1963.

[SEAL]

HERBERT K. BRYAN,
Hearing Examiner.

[F.R. Doc. 63-10553; Filed, Oct. 3, 1963;
8:48 a.m.]

[Docket 14668 etc.]

MICHIGAN POINTS "USE IT OR LOSE IT" CASE

Notice of Hearing

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 102, 204, 401, 1001, and 1004 thereof, that the above-entitled proceeding is hereby assigned for hearing on October 15, 1963, at 10 a.m., in the Terrace Room, Lansing Civic Center, 505 West Allegan St., Lansing, Mich., before Examiner Ralph L. Wiser.

Without limiting the scope of the issues raised by the pleadings in this proceeding, particular attention will be directed to the following matters:

(1) Do the public convenience and necessity require the continuation of the authority of North Central Airlines, Inc., to serve Cadillac-Reed City, Pontiac, and Port Huron, Mich.?

(2) If North Central's authority to serve these cities is continued, what shall be the terms, alterations, amendments, or modifications attached to such authority?

(3) If North Central continues to serve any or all of the points in question, should each point be served through its own or an area airline service airport?

(4) Do the public convenience and necessity require amendment of the certificate of public convenience and necessity of North Central so as to authorize air transportation serving Gaylord, Mich.?

(5) If new air service to Gaylord is found required, what shall be the terms, conditions, or restrictions under which such service should be authorized?

(6) If new air service to Gaylord is authorized, should this city be served through its own airport or an area airline service airport, and if so, to which one?

For further details with respect to the issues involved in this proceeding, interested persons are referred to the orders and notices entered by the Board and the examiner, the documents filed by the parties, and the examiner's prehearing conference report served May 2, 1963, and supplemental report served May 20, 1963, all of which are on file with the Docket Section of the Civil Aeronautics Board.¹

Notice is further given that any person other than the parties of record desiring to be heard in this proceeding shall file with the Board on or before October 11, 1963, a statement setting forth the issues of fact or law raised by this proceeding which he desires to controvert.

Dated at Washington, D.C., September 30, 1963.

[SEAL]

RALPH L. WISER,
Hearing Examiner.

[P.R. Doc. 63-10554; Filed, Oct. 3, 1963;
8:48 a.m.]

[Docket 12445]

PAN AMERICAN WORLD AIRWAYS, INC.

Notice of Postponement of Prehearing Conference

Application of Pan American World Airways, Inc., for a determination that its proposed acquisition of an interest in Ala-Austral, S.A. de Transporte Aereo will not constitute acquisition of control within the meaning of section 408 of the Federal Aviation Act of 1958, as amended, or, if the Board should determine otherwise, for approval of such acquisition. Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the prehearing conference in the above-entitled proceeding now assigned to be held on October 7, 1963, is hereby indefinitely postponed.

Dated at Washington, D.C., September 30, 1963.

[SEAL]

WALTER W. BRYAN,
Hearing Examiner.

[P.R. Doc. 63-10555; Filed, Oct. 3, 1963;
8:48 a.m.]

[Docket 13777; Order E-20057]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of October 1963.

¹ Matters occurring prior to July 23, 1963, the date of severance of this proceeding from Docket 14288 et al., would be found in that docket.

Agreement adopted by the Traffic Conferences of the International Air Transport Association relating to specific commodity rates; Agreement C.A.B. 17233, R-2, R-4, and R-5.

There have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1-2 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 (Commodity Rates Board).

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA memoranda, names additional specific commodity rates as set forth in the attachment hereto.

The Board, acting pursuant to sections 102, 204(a) and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That Agreement C.A.B. 17233, R-2, R-4 and R-5¹ is approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

HAROLD R. SANDERSON,
Secretary.

[P.R. Doc. 63-10556; Filed, Oct. 3, 1963;
8:48 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 63-EA-11]

WLOK, INC.

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study (1-OE-3410) to determine its effect upon the safe and efficient utilization of navigable airspace.

WLOK, Incorporated, Lima, Ohio, proposes to construct a television antenna structure in Lima, Ohio, at latitude 40°44'54" N., longitude 84°07'55" W. The overall height of the structure would

be 1419 feet above mean sea level (549 feet above ground).

The proposed construction was circularized with the height of the structure as 1435 feet above mean sea level (565 feet above ground); however, the proponent subsequently amended the proposal to the height shown above.

The structure would replace the company's existing 1218 feet above mean sea level tower which is located within 50 feet of the proposed site.

The aeronautical study disclosed that the structure would be located approximately three miles southeasterly of the Lima Airport and five miles northwesterly of the Allen County Airport. At this location the structure would be within the congested area of the city of Lima, Ohio, and outside of the traffic pattern of the two airports. It would not be within a control zone, control area extension, airway, within five miles of any approved off-airway route or known VFR route generally used by aircraft.

The study disclosed, however, that the structure would be within the instrument approach area of a planned (Lima) VOR approach to Runway 9 at the Allen County Airport. The planned procedure would have a 600-foot landing minimum for straight-in approach. This minimum would be raised to 800 feet with the construction of the structure proposed by WLOK, Inc., unless a final approach fix or facility were provided. The Agency has no plans to install additional NavAids and cannot assure an acceptable final approach fix from existing facilities; therefore, the minimum would probably be raised.

The study disclosed another factor which would mitigate the potential adverse effect the proposed structure would have upon the planned VOR procedure. The present VOR approach provides straight-in and circling minimums of 400-1, except that circling minimums for aircraft with approach speeds over 65 knots are 500-1. Therefore, even though the planned approach discussed in the previous paragraph were to be established with 800-foot straight-in and circling minimums, aircraft could continue to use the present VOR approach procedure with its lower landing minimums anytime the ceiling went below 800 feet.

Based on the aeronautical study, it is the finding of the Agency that the proposed structure would have no substantial adverse effect upon aeronautical operations, procedures or minimum flight altitudes associated with either the Lima Airport or the Allen County Airport or upon any en route operations.

Therefore, pursuant to the authority delegated to me by the Administrator (§ 77.37 [New]), it is found that the proposed structure would have no substantial adverse effect upon the safe and efficient utilization of airspace and it is hereby determined that the proposed structure would not be a hazard to air navigation provided that it is obstruction marked and lighted in accordance with applicable Federal Communications Commission rules.

This determination is effective and will become final 30 days after the date of issuance unless an appeal is filed under

¹ Filed as part of the original document.

§ 77.39 [New] (27 F.R. 10352). If the appeal is denied the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later. Unless otherwise revised or terminated, a final determination hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (§ 77.41 [New]).

Issued in Washington, D.C., on September 27, 1963.

GEORGE R. BORSARI,
Chief,
Obstruction Evaluation Branch.

[F.R. Doc. 63-10518; Filed, Oct. 3, 1963;
8:45 a.m.]

[OE Docket No. 63-SO-15]

WDEF BROADCASTING CO.

Determination of Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study (SO-OE-2507) to determine its effect upon the safe and efficient utilization of navigable airspace.

The WDEF Broadcasting Company, Chattanooga, Tennessee, proposes to increase by 462 feet the height of an existing television antenna structure near Chattanooga, Tennessee, at latitude 35°-08'05" N., longitude 85°19'25" W. The new overall height of the structure would be 2,749 feet above mean sea level (841 feet above ground).

The existing structure is within the boundaries of VOR Federal airways Nos. 5 and 5E/243 approximately 15 miles northwest of the Chattanooga VORTAC and at the proposed height would exceed the standards for determining hazards to air navigation as defined in § 77.23(a) (2) of the Federal Aviation Regulations by 641 feet since it would be more than 200 feet above ground within the boundaries of an airway.

The aeronautical study disclosed that the structure would require an increase from 3,400 feet to 3,700 feet in the minimum transition altitude from Whitwell, Halletown and Bridgeport Intersections to Chattanooga Radio Beacon.

The study also disclosed that because of the relatively short distance from the proposed structure to Lovell Field, only aircraft with a very fast climb capability would be able to depart on course with safety when proceeding in a northerly or westerly direction. Due to the high terrain and present towers in the Chattanooga area, the Agency has found it necessary to caution pilots, operating aircraft with limited climb capabilities and departing on routes west through north, that they should request clearance to climb on a track of either 016° or 196° from the instrument landing system middle marker to 3,000 feet before continuing climb on course. The greater height of the proposed structure would further complicate this problem.

The increase in the minimum transition altitudes that would be required if this structure were constructed would

cause delay to instrument approach operations because of the higher initial approach altitude. In addition, when air traffic control found it necessary to direct a departing aircraft on the above special climb procedure, aircraft awaiting approach would be further delayed or approaches would be stopped altogether until the departing aircraft had left the immediate area or climbed to an altitude above 4,000 feet. Thus, when the Chattanooga terminal area was under heavy IFR traffic and minimum weather conditions, approach and departure procedures could become quickly saturated and traffic unavoidably delayed. During Fiscal Year 1963, there were 19,433 instrument operations and 3,321 instrument approaches at Lovell Field.

The study disclosed that the above procedures and minimum flight altitudes cannot be altered to accommodate the proposed structure without having a substantial adverse effect upon aeronautical operations in the Chattanooga terminal area.

The Agency study further disclosed that, if constructed to the height proposed, the structure would require visual flight rules aircraft departing the Chattanooga area in a northerly and westerly direction and proceeding on a course after take-off which would overlie the structure site, to alter course during climb-out to obtain adequate vertical or horizontal obstruction clearance from the structure. The FAA report of VFR general aviation operations for Fiscal Year 1962 indicates approximately 480 aircraft filed VFR flight plans between Chattanooga and points northerly and westerly.

Therefore, pursuant to the authority delegated to me by the Administrator (§ 77.37 [New]), it is found that the proposed structure would have a substantial adverse effect upon the safe and efficient utilization of navigable airspace; and it is hereby determined that the proposed structure would be a hazard to air navigation.

This determination is effective and will become final 30 days after the date of issuance unless an appeal is filed under § 77.39 [New] (27 F.R. 10352). If the appeal is denied, the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later.

Issued in Washington, D.C., on September 30, 1963.

GEORGE R. BORSARI,
Chief,
Obstruction Evaluation Branch.

[F.R. Doc. 63-10519; Filed, Oct. 3, 1963;
8:45 a.m.]

FEDERAL MARITIME COMMISSION

S. JACKSON & SON, McCANDLESS, INC., ET AL.

Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for ap-

proval pursuant to section 15 of the Shipping Act, 1916 (75 Stat. 763 and 46 U.S.C. 814). All parties involved are eligible to operate as independent ocean freight forwarders pursuant to section 44 of the Shipping Act, 1916.

Unless otherwise indicated, these agreements are non-exclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight compensation is to be divided between the parties as agreed.

S. Jackson & Son, McCandless, Inc., New Orleans, Louisiana, is party to the following agreements, the terms of which are identical. The other parties are:

Meadows Wye & Co., Inc., New York, N.Y.----- FF-1020
Fabius & Co., Inc., New York, N.Y.----- FF-1021

J. P. Harle Forwarding Co., Houston, Texas, is party to the following agreements, the terms of which are identical. The other parties are:

John J. Moylan & Co., Los Angeles, Calif.----- FF-1025
Anderson Shipping Co., Savannah, Ga.----- FF-1026
Fillette, Green & Co. of Tampa, Tampa, Fla.----- FF-1027
H. S. Thielen, Inc., Lake Charles, La. FF-1028
J. E. Lowden & Co., San Francisco, Calif.----- FF-1029
Paul A. Boulo, Mobile, Ala.----- FF-1030

Hasman & Baxt of La., Inc., New Orleans, Louisiana, is party to the following agreements, the terms of which are identical. The other parties are:

Milton G. West, Baton Rouge, La. FF-1015
The J. P. Fleisig Co., New York, N.Y.----- FF-1016

The following agreements have similar terms:

W. J. Byrnes & Co., San Francisco, Calif. and The A. W. Fenton Co., Inc., Cleveland, Ohio.----- FF-929
Jay International, Inc., Philadelphia, Pa. and Dyson Shipping Co., Inc., New York, N.Y.----- FF-1013
Amerford International Corp., New York, N.Y. and W. R. Zanes & Co., Houston, Texas.----- FF-1014
Globe Shipping Co., Inc., New York, N.Y. and Geo. S. Bush & Co., Portland, Oreg.----- FF-1017
Joseph Craig & Co., Savannah, Ga. and The Hipage Co., Norfolk, Va. FF-1018
John A. Merritt & Co., Pensacola, Fla. and Southern Steamship Agency, Inc., Gulfport, Miss. FF-1019
Reynolds & Puzon, Inc., New York, N.Y. and Coastal Forwarders, Charleston, S.C.----- FF-1024

Agreement No. FF-699 between D. C. Andrews & Co., Inc., New York, N.Y.; D. C. Andrews & Co. of Ill., Inc., Chicago, Ill.; D. C. Andrews & Co. of La., Inc., New Orleans, La.; D. C. Andrews & Co. of Md., Baltimore, Md.; D. C. Andrews & Co. of Mass., Inc., Boston, Mass.; Paul Sustek Company, Philadelphia, Pa. is a working arrangement under which the parties may perform freight forwarding services for each other. Forwarding and service fees are subject to agreement. There is no division of ocean freight compensation.

Agreement No. FF-1022 between C. S. Greene & Co., Inc., Chicago, Ill., and Sherriff Gueringue, Inc., Seattle, Wash., is a working arrangement under which the parties may perform freight forwarding services for each other. Forwarding and service fees are \$5.00 per shipment with special services remaining subject to agreement. Ocean freight compensation is to be divided equally.

Agreement No. FF-1023 between C. S. Greene & Co., Inc., Chicago, Ill., and Air Cargo Brokerage Co., Miami, Fla., is a working arrangement under which the parties may perform freight forwarding services for each other. Forwarding and service fees are \$7.50 per shipment with special services remaining subject to agreement. Ocean freight compensation is to be divided 40 percent for Air Cargo Brokerage Co. and 60 percent for C. S. Greene and Co., Inc.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C. or at the Commission's field offices at:

45 Broadway, New York, N.Y.

180 New Montgomery Street, San Francisco, Calif.

Room 333 Federal Office Building South, 600 South Street, New Orleans 12, La. Mail address: P.O. Box 30550, Lafayette Station, New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By the Federal Maritime Commission.

Dated: October 1, 1963.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-10532; Filed, Oct. 3, 1963;
8:46 a.m.]

TRANS-PACIFIC FREIGHT CONFERENCE

Extension of Time for Filing Comments on Agreement

Notice is hereby given that the time for filing comments with respect to Agreement 14-19, between the member lines of the Trans-Pacific Freight Conference (Hong Kong), notice of which was published in the FEDERAL REGISTER on September 12, 1963, 28 F.R. 9227, is hereby extended to and including October 9, 1963.

Dated: October 1, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-10533; Filed, Oct. 3, 1963;
8:46 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2394]

WISCONSIN MICHIGAN POWER CO.

Notice of Application for License

SEPTEMBER 27, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Wisconsin Michigan Power Company (correspondence to: W. E. Shubert, Vice President, Wisconsin Michigan Power Company, 807 South Oneida Street, Appleton, Wisconsin), for license for constructed Project No. 2394, located on the Menominee River, in Menominee County, Michigan, and in Marinette County, Wisconsin, in the vicinity of the Community of Amberg, Wisconsin, and Village of Stephenson, Michigan.

The project consists of: a reservoir of about 882 acres created by a dam having two earth sections, a concrete spillway section with intake integral with the powerhouse of sufficient height to provide a hydraulic head of about 28 feet—the spillway section containing eleven tainter gates and a fish chute; a powerhouse containing three 3,750 horsepower turbines each connected to a 2,600 kilowatt generator; an operators village; a 2.32 mile long transmission line to a point where it connects with Applicant's transmission system; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is November 22, 1963. The application is on file with Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-10528; Filed, Oct. 3, 1963;
8:46 a.m.]

[Docket No. CP64-47]

NORTHERN NATURAL GAS CO.

Notice of Application

SEPTEMBER 27, 1963.

Take notice that on August 26, 1963 Northern Natural Gas Company (Northern) filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity to install uprating kits on the existing gas turbine compressor units at the Tescott and Macksville Compressor Stations located in Kansas.

The proposed uprating kits contain component parts of the units which are being replaced due to gradual deterioration caused by required high temperature operation. The new parts are made of material superior to the original parts and will withstand high temperature operation for an estimated 100,000 hours before replacement is required.

The original parts need reconditioning at approximately 50-60,000 hour intervals. All of the units at the two stations have exceeded 50,000 hours of operation.

Northern considered reconditioning the existing parts which would probably result in an additional 50-60,000 hours of operation. Although the replacement program costs more initially, an overall savings in maintenance costs will be realized because of the longer period between replacement.

In addition, installation of the kits will develop approximately 500 additional horsepower per unit at the two stations; however, Northern does not propose any increase in system saleable capacity, nor is such horsepower required to enable Northern to meet its delivery obligations.

Installation of the proposed uprating kits is estimated to cost \$613,200. It is proposed that the kits will be installed at the Tescott Station in the summer of 1964 and at the Macksville Station in the summer of 1965.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on November 5, 1963 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 31, 1963. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-10526; Filed, Oct. 3, 1963;
8:45 a.m.]

[Docket Nos. RI64-150—RI64-156]

SKELLY OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates ¹

SEPTEMBER 27, 1963.

Skelly Oil Company, Docket No. RI64-150; Wichita River Oil Corporation,

¹This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

Docket No. RI64-151; Cabot Corporation (SW), Docket No. RI64-152; Clyde Beymer, Jr., et al., Docket No. RI64-153; L. A. Douglas (Operator), et al., Docket No. RI64-154; Benedum-Trees Oil Company, et al., Docket No. RI64-155; Pan

American Petroleum Corporation, Docket No. RI64-156.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales

of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a pressure base of 14.65 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI64-150...	Skelly Oil Co., P.O. Box 1650, Tulsa 2, Okla.	89	4	Northern Natural Gas Co. (Lovington Gasoline Plant, Lea County, N. Mex.) (Permian Basin Area).	\$8,404	8-28-63	10-28-63	2-28-64	10.5124	* 11.5380	-----
RI64-151...	Wichita River Oil Corp., P.O. Box 1110, Wichita Falls, Tex.	5	2	Lone Star Gas Co. (Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	3,134	9-3-63	10-4-63	3-4-64	11.0	* 12.0	-----
RI64-152...	Cabot Corp. (SW), P.O. Box 1101, Pampa, Tex.	40	4	Northern Natural Gas Co. (Beaver County, Okla.) (Panhandle Area) (Ochiltree and Hansford Counties, Tex.) (R.R. District No. 10).	2,410	8-30-63	10-1-63	3-1-64	* 16.5	** 17.5	-----
RI64-153...	Clyde Beymer, Jr., et al., Lakin, Kans.	2	7	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.)	1,632	9-3-63	10-4-63	3-4-64	* 11.0	* 12.5	-----
RI64-154...	L. A. Douglas (Operator), et al., 745 Milam Bldg., San Antonio, Tex.	1	5	Texas Eastern Transmission Corp. (Violet Field, Nueces County, Tex.) (R.R. District No. 4).	960	9-9-63	11-1-63	4-1-64	15.2	15.6	RI63-4
RI64-155...	Benedum-Trees Oil Co. et al. % Meyers & Batzell, Shoreham Bldg., Washington 5, D.C., Attn: Mr. Ivan V. Kern.	10	7	Texas Eastern Transmission Corp. (DeLate Charco Field, Brooks County, Tex.) (R.R. District No. 4).	550	9-9-63	11-1-63	4-1-64	15.4	* 15.6	RI63-113
RI64-156...	Pan/American Petroleum Corp., Oil and Gas Bldg., P.O. Box 1410, Fort Worth 1, Tex.	348	9	El Paso Natural Gas Co. (Levelland Gasoline Plant, Hockley County, Tex.) (R.R. District No. 8) (Permian Basin Area).	180	8-30-63	10-1-63	3-1-64	* 11.106	* 17.09938	-----

¹ The stated effective date is the effective date requested by Respondent.

² Periodic rate increase.

³ Subject to downward Btu adjustment.

⁴ The stated effective date is the first day after expiration of the required statutory notice.

⁵ Renegotiated rate increase.

⁶ Two-step periodic rate increase.

⁷ Favored-nation rate increase.

⁸ Includes tax reimbursement of 0.106 cent per Mcf.

⁹ Includes tax reimbursement of 0.09938 cent per Mcf.

Clyde Beymer, Jr., et al. (Beymer), request a retroactive effective date of January 1, 1959, for their proposed renegotiated rate increase. Good cause has not been shown for the granting of an earlier effective date for Beymer's proposed increased rate and such request is denied.

El Paso Natural Gas Company (El Paso) has protested the rate increase filed by Pan American Petroleum Corporation (Pan American). El Paso states, inter alia, that the single basis upon which Pan American predicates its increase proposal is that of favored-nation activation; that the rates which Pan American identifies as triggering its favored-nation clause are those which have been the product of El Paso's efforts to renegotiate its Permian Basin contracts, and that such rates were negotiated with those producers who agreed to the elimination of favored-nation clauses from their contracts. El Paso asserts that the favored-nation provisions of Pan American's contract require, prior to activation, something more than the bare assertion, as made, that El Paso is paying higher rates in the delineated favored-nation area; that the clause demands comparison of all factors and conditions pertinent to the sale of gas under the contracts pursuant to which the asserted triggering price is paid and under the contract sought to be escalated on a favored-nation basis. Under the cir-

cumstances, we shall provide that the hearing provided for herein for Pan American shall concern itself with the contractual basis as well as the statutory lawfulness of Pan American's rate filing.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the contractual basis of Pan American's proposed rate filing which El Paso has protested, and the statutory lawfulness of all of the producers' proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices

from the Secretary concerning the contractual basis of Pan American's proposed rate filing which El Paso has protested, and the statutory lawfulness of all of the producers' proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before November 13, 1963.

By the Commission.

[SEAL]

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 63-10527; Filed, Oct. 3, 1963; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 37-64]

ALLEGHENY POWER SYSTEM, INC., ET AL.

Notice of Proposed Organization and Conduct of Business of Subsidiary Service Company and Related Transactions

SEPTEMBER 30, 1963.

In the matter of Allegheny Power System, Inc., Allegheny Power Service Corporation, and Monongahela Power Company, 320 Park Avenue, New York, New York; File No. 37-64.

Notice is hereby given that Allegheny Power System, Inc. ("Allegheny"), a registered holding company, and Monongahela Power Company ("Monongahela"), an electric-utility subsidiary company of Allegheny, have filed a joint application-declaration pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("Act") requesting authorization of certain proposed transactions, and have designated sections 6, 7, 9(a), 10, 12, and 13 of the Act and Rules 40(b), 43, and 88 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to the said application-declaration on file in the office of the Commission for a statement of the proposals contained therein which are summarized below.

Allegheny controls 10 electric-utility subsidiary companies which provide electric service in Maryland, Ohio, Pennsylvania, Virginia, and West Virginia. The Allegheny holding-company system had consolidated assets of approximately \$641 million as of December 31, 1962 and consolidated operating revenues of approximately \$172 million for the 12 months ended that date.

Allegheny has 7 officers and 31 other employees who perform supervisory, coordination, engineering, financial, legal, regulatory, tax, accounting, insurance, and other services for operating subsidiary companies without charge, and also perform the corporate and fiscal functions of Allegheny. Three employees of Monongahela and one employee of West Penn Power Company ("West Penn"), an electric-utility subsidiary company of Allegheny, perform area development, construction engineering, and transmission engineering services at cost for certain operating companies pursuant to expense-sharing agreements.

It is proposed to organize Allegheny Power Service Corporation ("Service Company") under the laws of Maryland with authorized capital stock of 20,000 shares, \$10 par value per share, and to transfer the aforesaid servicing activities of Allegheny, Monongahela, and West Penn to Service Company. In connection therewith, applicants-declarants will enter into the following transactions:

1. Service Company will issue and sell, and Allegheny will acquire pursuant to Rule 40(b), 5,000 shares of the authorized

but unissued capital stock of Service Company for \$50,000 and \$450,000 principal amount of long-term, unsecured notes of Service Company at the principal amount thereof. Such notes will mature in 25 years, and will bear interest at the New York commercial bank prime rate in effect from time to time, and may be prepaid at any time without penalty. Service Company also will issue and sell from time to time during the period of 5 years from the date of issuance of the Commission's order herein, and Allegheny will acquire pursuant to Rule 40 (b), additional notes of Service Company up to a maximum principal amount thereof of \$500,000. Such notes will carry the same provisions and be subject to the same conditions and limitations as the notes proposed to be initially issued. Service Company will maintain its aggregate capital at all times at amounts equivalent approximately to the sum of two months' operating expenses, plus the cost of its property less accumulated depreciation and amortization.

2. Allegheny will sell at its depreciated and amortized cost of approximately \$328,000, and Service Company will acquire, all of the physical property and leasehold improvements now owned by Allegheny. Service Company will commence operations with initial capital of \$500,000, of which approximately \$328,000 will be invested in property and approximately \$172,000 in cash will be available as working capital.

3. All the employees of Allegheny and the aforesaid 4 employees of Monongahela and West Penn will be transferred to the payroll of Service Company which also will assume all other expenses in respect of such personnel. The directors and officers of Service Company will be selected without regard to whether interlocking positions between Service Company and associate companies result.

4. Pursuant to the terms of a standard form of service contract to be executed with each associate company receiving services, Service Company will perform for such companies at cost the services heretofore performed for them by Allegheny, Monongahela, and West Penn, and such additional services as may be feasible.

5. The costs of services to be rendered by Service Company will include all costs of doing business, including interest on indebtedness, but excluding any return on the company's initial equity capital. These costs will be allocated among associate companies on the basis of job-time reports. The companies will be billed monthly for estimated costs of services rendered, and such billings will be adjusted to an actual-cost basis at the end of each year.

Service Company estimates that its total expenses for the first year of operations will amount to \$995,000, of which approximately \$169,000 will be charged to Allegheny. The remainder of approximately \$826,000 will be charged to operating subsidiary companies of the system, and of such amount approximately \$754,000 will constitute additional service costs to those companies. The total annual expenses of Allegheny will be reduced by approximately the same

amount, from \$1,775,000 to \$1,020,000, and Allegheny will continue to bear the entire costs of its corporate and fiscal functions. The proposed transactions will not result in any increases in the consolidated expenses of the holding-company system.

The applicants-declarants represent that the organization and conduct of business of Service Company will permit more equitable allocation of system service costs, and will improve utilization of system manpower with resulting estimated system savings of \$100,000 a year and other benefits. It is further represented that the proposed transactions will not of themselves result in, or be the basis for, any application or filing to increase the present rates of any operating subsidiary company, although the proposed service charges to such companies will be reflected in their costs of-service in any rate proceedings.

The West Virginia Public Service Commission and the Virginia State Corporation Commission have jurisdiction over the service contracts proposed to be executed by Service Company with five associate companies. Petitions for approval of such contracts have been filed with the aforesaid Commissions, and copies of any orders entered therein will be supplied by amendment. The service contracts proposed to be executed by Service Company with two associate companies are required to be filed with, but need not be approved by, the Pennsylvania Public Utility Commission, and have been so filed. The applicants-declarants represented that, except as hereinbefore noted, no State or Federal commission other than this Commission has jurisdiction in respect of the proposed transactions.

The applicants-declarants request that the joint application-declaration be granted and permitted to become effective forthwith, so as to allow temporary authority for the proposed organization and conduct of business of Service Company and related transactions for a period of 30 months or such longer period as the Commission may determine, subject to further order of the Commission. Service Company agrees that, if the requested authorizations are allowed, the company will furnish the Commission during the period of temporary authority with such information as the Commission may request with respect to Service Company.

Notice is further given that any interested person may, not later than October 30, 1963, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the said application-declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants-declarants, and proof of service (by affi-

davit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective in the manner provided by Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rule as provided by Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 63-10538; Filed, Oct. 3, 1963;
8:47 a.m.]

[File No. 24A-1591]

KALIKO DEVELOPMENT CORP.

Order Vacating Order Temporarily Suspending Regulation A Exemption

SEPTEMBER 30, 1963.

Kaliko Development Corporation, 1328 Thirteenth Street, Columbus, Georgia, has filed with the Commission an affidavit signed by its board chairman and its underwriter stating that:

1. Kaliko Development Corporation has fully redeemed in cash certain promissory notes issued to previous purchasers who elected to accept the offer of rescission incorporated in the offering circular;

2. Kaliko has terminated the offering and desires to withdraw the unsold portion of the securities covered by the filing;

3. No securities have been offered and/or sold since January 27, 1963, the date when a revised offering circular was required under Rule 256(a) of Regulation A.

It appearing in view of the foregoing that there does not any longer exist any basis for the Commission's order dated August 19, 1963, temporarily suspending the company's Regulation A exemption, that it is not necessary in the public interest and for the protection of investors that said order be made permanent, and that a hearing is not necessary in the premises,

It is ordered, That the order dated August 19, 1963, temporarily suspending respondent's exemption under Regulation A be vacated.

It is further ordered, That respondent be allowed to withdraw its filing as to the unsold portion of the securities offered thereunder.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 63-10539; Filed, Oct. 3, 1963;
8:47 a.m.]

[File Nos. 70-4158, 31-671]

PENN FUEL GAS, INC., AND JOHN H. WARE, 3d

Notice of Filing of Applications for Approval of Acquisition of Capital Stock of New Subsidiary and for Exemption

SEPTEMBER 30, 1963.

Notice is hereby given that Penn Fuel Gas, Inc. ("Penn Fuel"), a holding company which, subject to certain conditions, is exempt from the provisions of the Public Utility Holding Company Act of 1935 ("Act"), and John H. Ware, 3d. ("Ware"), 55 South Third Street, Oxford, Pennsylvania, an affiliate of Penn Fuel, have filed a joint application (File No. 70-4158), pursuant to sections 9 and 10 of the Act, in which Penn Fuel proposes to acquire the capital stock of Emmitsburg Gas Company ("Emmitsburg Gas"). Penn Fuel has also filed a new application, and an amendment thereto (File No. 31-671), pursuant to section 3(a)(1) of the Act, for exemption of it, as a holding company, and of each of its subsidiary companies, as such, from the provisions of the Act.

All interested persons are referred to the applications, on file at the office of the Commission, for a statement of the proposed transactions and of the basis for the exemption requested.

Penn Fuel proposes to acquire for \$30,000 all of the capital stock, consisting of 300 shares with a par value of \$100 per share, of Emmitsburg Gas, a Maryland corporation, recently organized to provide natural gas service in the Town of Emmitsburg, Maryland, and vicinity, an area in which no gas service, other than bottled gas service, is currently available. The service area of Emmitsburg Gas will be within about 3 miles of the Maryland-Pennsylvania state line, in north-central Maryland, about 16 miles southeast of Waynesboro, Pennsylvania, served by Waynesboro Gas Company, a public-utility subsidiary company of Penn Fuel, and within 100 miles of the service areas of a majority of the other public-utility subsidiary companies of Penn Fuel. The employees of Waynesboro Gas Company will initially provide the management of Emmitsburg Gas. The proceeds from the sale of its capital stock, together with advances from Penn Fuel, and advances by others in aid of construction, will be used by Emmitsburg Gas to pay the cost of construction, estimated at \$213,300, of the necessary transmission and distribution facilities.

The facilities to be constructed will consist of (a) a retail distribution system in the Town of Emmitsburg and (b) approximately seven miles of 6-inch lateral pipeline extending from a tap in Pennsylvania on the natural gas pipeline of The Manufacturers Light and Heat Company, a non-affiliated company, southward through the Town of Emmitsburg to the adjacent grounds of St. Joseph's Central House, a religious institution, which initially will be the new

company's principal customer and which has advanced or will advance \$72,000 in aid of construction, to be repaid by certain credits to the customer's monthly gas bills.

The application states that the Public Service Commission of Maryland has jurisdiction over the issuance by Emmitsburg Gas of its capital stock, the acquisition thereof by Penn Fuel, and the authorization of the gas service by Emmitsburg Gas; that the Federal Power Commission has jurisdiction over the construction of the proposed lateral natural gas line; that applications have been or will be made to such agencies for the requisite authorizations and approvals; and that application has been made to the Town of Emmitsburg for a franchise authorizing Emmitsburg Gas to engage in the distribution of natural gas in the town. The fees and expenses to be incurred in connection with the acquisition are estimated at not in excess of \$1,500.

With respect to the requested exemption, the application states that Penn Fuel, a Pennsylvania corporation, is a holding company and is also engaged directly in the sale of bottled gas and appliances. It has 21 subsidiary companies, all Pennsylvania corporations, engaged in the retail distribution of natural and liquefied petroleum gas wholly within that State, and except for the proposed operations of Emmitsburg Gas and relatively minor liquefied petroleum gas facilities, neither Penn Fuel nor any of its utility subsidiary companies owns or operates any property outside Pennsylvania or receives delivery of gas at the State border.

At June 30, 1963, the consolidated assets of Penn Fuel and its subsidiary companies, after deducting applicable reserves, aggregate \$9,834,224. For the twelve months then ended, the consolidated revenues amounted to \$6,102,510 (including \$5,569,992 utility revenues) and consolidated gross income and net income amounted to \$545,367 and \$298,608, respectively. The revenues of Emmitsburg Gas are estimated at \$91,000 in the first year of its operation, \$100,000 the second year, and \$106,000 the third year; its gross income for those years is estimated at \$8,200, \$10,400, and \$12,100, respectively, and its net income at \$2,900, \$4,600, and \$5,900, respectively.

Applicant consents to the continuance of the conditions heretofore imposed by the Commission in its opinion and order of June 29, 1951 in the Matter of Penn Fuel Gas, Inc. and John H. Ware, 3d, File No. 70-2507, and in the Matter of Penn Fuel Gas, Inc., File No. 69-71, 32 S.E.C. 514 and Holding Company Act Release No. 10646, except to the extent that such conditions have heretofore been released by express action of the Commission.

Notice is further given that any interested person may, on or before October 18, 1963, request in writing that a hearing be held in respect of either or both applications, stating the nature of

his interest, the reasons for such request, and the issues of fact or law which he seeks to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants, at the above-stated address; and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application for approval of the acquisition of the Emmitsburg Gas stock, as filed or as it may be amended, may be granted, as provided in Rule 23 of the general rules and regulations under the Act, or the Commission may grant exemption from such rules and regulations, as provided in Rules 20(a) and 100 thereof; and the application for exemption may be granted, or the Commission may take such other action in respect of either application as it deems appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 63-10540; Filed, Oct. 3, 1963;
8:47 a.m.]

[File No. 811-308]

TRUSTEED NEW YORK BANK SHARES

Notice on Motion To Terminate Registration

SEPTEMBER 30, 1963.

Notice is hereby given that the Securities and Exchange Commission ("Commission") on its own motion, is proposing to declare by order, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") that Trusteed New York Bank Shares ("Trusted"), 20 Broad Street, New York 5, New York, has ceased to be an investment company.

Trusteed was a Unit Investment Trust organized pursuant to a custodian agreement between National Associated Dealers, Inc., acting as Sponsor, and Empire Trust Company, acting as successor Trustee. The Sponsor was dissolved by proclamation of the Secretary of the State of New York on December 15, 1947. On October 22, 1948 the Trust was terminated by accelerated action of the Trustee and a first distribution of assets was made to holders on December 2, 1948. A final distribution was paid on October 19, 1956, and the Trustee no longer holds any assets of the Trust.

Section 8(f) of the Act provides in pertinent part, that when the Commission, on its motion, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than October 14, 1963 at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order may be issued by the Commission, unless an order for hearing shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 63-10541; Filed, Oct. 3, 1963;
8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below \$1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below \$1.00 an hour in the base period.

REGION I

W. T. Grant Co., 149 South Main Street, Fall River, Mass.; effective 9-25-63 to 3-31-64 (variety store; 39 employees).

W. T. Grant Co., No. 5, 858 Purchase Street, New Bedford, Mass.; effective 9-5-63 to 3-31-64 (variety store; 46 employees).

REGION II

S. S. Kresge Co., No. 221, Sayre Woods Shopping Center, Highway 9, Parlin, N.J.; effective 9-13-63 to 3-31-64 (variety store; 32 employees).

REGION III

F. W. Woolworth Co., No. 117, 1314 11th Avenue, Altoona, Pa.; effective 9-13-63 to 3-31-64 (variety store; 33 employees).

REGION VI

Neisner Brothers, Inc., No. 50, 150 North Chicago Street, Joliet, Ill.; effective 9-13-63 to 3-31-64 (variety store; 36 employees).

Neisner Brothers, Inc., No. 98, 6344 West Cermak Road, Berwyn, Ill.; effective 9-10-63 to 3-31-64 (variety store; 17 employees).

Red Cross Drug Co., 3701 Durand Avenue, Racine, Wis.; effective 8-22-63 to 3-31-64 (drug store; 11 employees).

Red Cross Drug Co., 520 Goold Street, Racine, Wis.; effective 8-22-63 to 3-31-64 (drug store; 8 employees).

Red Cross Drug Co., 320 Sixth Street, Racine, Wis.; effective 8-22-63 to 3-31-64 (drug store; 9 employees).

REGION VII

Ball's Super Market, Inc., 5420 Leavenworth Road, Kansas City, Kans.; effective 6-10-63 to 3-31-64 (food store; 26 employees).

Ball's Thriftway Market, Inc., 3400 State Avenue, Kansas City, Kans.; effective 6-10-63 to 3-31-64 (food store; 21 employees).

Hested Store, No. 772, 58th and Garrison, Arvada, Colo.; effective 6-10-63 to 3-31-64 (variety store; 14 employees).

REGION X

Kuhn's 5-10-25¢ Store, 124 Franklin Street, Clarksville, Tenn.; effective 9-28-63 to 3-31-64 (variety store; 25 employees).

Kuhn's 5-10-25¢ Store, 129 North Main Street, Dickson, Tenn.; effective 9-28-63 to 3-31-64 (variety store; 26 employees).

Kuhn's 5-10-25¢ Store, East Lincoln Street, Tullahoma, Tenn.; effective 9-28-63 to 3-31-64 (variety store; 18 employees).

Kuhn's 5-10-25¢ Store, Front Street and Public Square, Winchester, Tenn.; effective 9-28-63 to 3-31-64 (variety store; 29 employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR, Part 519. The certificates permit the employment of full-time students at rates of not less than 85 cents an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below \$1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

H.E.B. Food Store, No. 56, 516 North Main, Taylor, Tex.; effective 9-14-63 to 3-31-64; package boy, stock boy, bottle boy; 10 percent for each month (food store; 33 employees).

H.E.B. Food Store, No. 58, Loop 410 South and Lackland Drive, San Antonio, Tex.; effective 9-12-63 to 3-31-64; package boy, sack boy, bottle boy; 10 percent for each month (food store; 25 employees).

H.E.B. Food Store, No. 59, North Star Mall, San Antonio, Tex.; effective 9-14-63 to 3-31-64; package boy, sack boy, bottle boy; 10 per-

cent for each month (food store; 61 employees).

H.E.B. Food Store, No. 82, 2600 Seventh Street, Bay City, Tex.; effective 9-14-63 to 3-31-64; package boy, stock boy, bottle boy; 10 percent for each month (food store; 33 employees).

H.E.B. Food Store, No. 84, 302 South Second Street, McAllen, Tex.; effective 9-14-63 to 3-31-64; package boy, sack boy, bottle boy; 10 percent for each month (food store; 37 employees).

H.E.B. Food Store, No. 85, 120 West Rice Street, Falfurrias, Tex.; effective 9-14-63 to 3-31-64; package boy, sack boy, bottle boy; 10 percent for each month (food store; 22 employees).

Jupiter, No. 4531, Cross Roads Shopping Center, 760 North Main Street, West Hartford, Conn.; effective 9-21-63 to 3-31-64; sales clerk; between 4.3 percent and 10 percent (variety store; 9 employees).

S. S. Kresge Co., No. 775, Azalea Plaza, 3727 Oleander Drive, Wilmington, N.C.; effective 9-21-63 to 3-31-64; sales clerk; between 3.5 percent and 10 percent (variety store; 27 employees).

Mart Grocers, Inc., 8601 East 40 Highway, Kansas City, Mo.; effective 9-18-63 to 3-31-64; shag boys; 10 percent for each month (food store; 25 employees).

F. W. Woolworth Co., No. 2484, 1105 Shelby Street, Indianapolis, Ind.; effective 9-17-63 to 3-31-64; salesladies; between 4.8 percent and 10 percent (variety store; 44 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will

not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 26th day of September 1963.

ROBERT G. GRONEWALD,
*Authorized Representative of
the Administrator.*

[F.R. Doc. 63-10531; Filed, Oct. 3, 1963;
8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—OCTOBER

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